

FRENCH ELECTIONS CLAUDE BOURDET

THE NATION

APRIL 9, 1973

50 cents

APR 6 73
8-72 8-74
The Sherrod Library
Periodicals Dept.
E. Tennessee St. Univ.
Johnson City, TN. 37601
AG

Police Corruption:

**THE SYSTEM
IS THE PROBLEM**

WILLIAM P. BROWN

**Radicals vs. Liberals:
CONFRONTATION IN BERKELEY**

MARY ELLEN LEARY

Walter Arnold: Talking of Ultimate Mysteries

LETTERS

confused

Quincy, Mass.

DEAR SIR: First we kill the Vietnamese with bombs; now we want to kill them with kindness—for billions of dollars!

At the same time, the President is hard at work trying to emasculate programs designed to improve the quality of life here at home; or eliminate them altogether in the name of economy. But if, as seems likely, he should succeed in imposing his will upon Congress, isn't it bound to put more people out of work, and on welfare? Yet all the while the President mourns the loss of the work ethic. . . . I don't understand it. . . .

Israel Bearon

forgotten drummer

Philadelphia, Pa.

DEAR SIR: I've just read Daniel Ben-Horin's "The Alternative Press: Journalism as a Way of Life" [Feb. 19] and I'd like to compliment you on the piece. To my knowledge, the article is the only cogent thing ever done on the alternative press.

I must say, though, that I feel a little left out. I am the editor of *The Drummer*—Philadelphia's alternative (underground) newspaper, founded in 1967 and published weekly since 1968. In our time, we've broken many stories nationally—most notably, we were the first paper to be sent FBI files stolen from the FBI's Media office by the Committee to Investigate the FBI. We've been dealing with a mayor who, in one short year, has turned Philadelphia into a miniature Weimar Republic. . . .

Al Robbins

trading junk

Pequea, Pa.

DEAR SIR: Convinced that many others would say what I had to say about Janet Malcolm's "Growing Up Puerile" [The Nation, Feb. 12] I didn't write earlier. But in case J. W. Alcantara's letter, "toast of the generations" [Mar. 12] is an indication that no one did . . . I too once considered "the cynical attitude of today's children toward the junk they own entirely healthy and heartening." But now I wonder if they, like their parents, are not part and parcel of the horrendously wasteful economy of this country.

First, most of their possessions are, indeed, *junk*, made of low-quality materials poorly put together. . . . In view of this, the fact that a kid has a "roomful of broken cast-offs" is hardly surprising. Whether this renders him, therefore, "capable of a more detached relation to things" is debatable. . . . If he's like the kids I know, he never really loses his faith that somewhere on the shelves of a store is the item that will make him happy, the toy he will not tire of, the toy that will not break. In this sense, is he really any different from his parents, forever redecorating the house, trading in the old car, discarding still wearable clothing for something more fashionable?

It is, I believe, these children who, growing up, discard their "nuclear families" for "community" which, they maintain, is what they really wanted all along. Not that I wish to malign communes and serious communarians. But I am sure they would agree with me that many of their current problems can be traced to would-be members who think they can "have" community ready-made, like a store-bought toy to be discarded in its turn when the novelty wears off. . . .

Jane Plastino

correction

Through a printing error the box in Grace Schulman's essay [The Nation, Apr. 2] contained a garbled phrase. It should have read: "This essay introduces the first of three projected special issues of *The Nation* devoted to an international forum on poetry, prepared by Grace Schulman, poetry editor."

EDITORIALS

'Nothing to Hide'

At his March 15th press conference the President was noticeably edgy whenever the questioning touched on aspects of the spreading Watergate scandal. Even then, before publication of James W. McCord's letter to Judge Sirica, his uneasiness betrayed an awareness that he found himself caught in a painful trap. In his familiar manner, he thanked reporters for asking questions about the case and then evaded answering them. He was also at his sanctimonious best, decrying the use by Congressional investigators of FBI "raw files," hearsay, guilt by innuendo or guilt by association. But he will not be able to extricate himself from this mess as he did from the embarrassing "slush fund" scandal of 1952. Then he quickly and wisely admitted the facts and pleaded his own innocence and Pat's "cloth coat" in defense. By contrast, Watergate was mishandled from the start and every action he or his advisers have taken to knock it down and to keep him free of personal involvement have only made matters worse.

It should have been apparent from the outset that the President could not duck responsibility for the Watergate break-in. He has always been deeply involved in his own campaigns. He has an obsessive concern for detail. He prides himself on careful planning. In 1972 he set up a special committee, apart from the Republican National Committee, to raise funds exclusively earmarked for his campaign which was conducted quite apart from other Republican contests. He placed his chief political aid and trusted associate, John Mitchell, in charge of CREEP. Neither man is naive or a newcomer to politics. Moreover the President's personal staff at the White House, which was augmented for the campaign, is tightly controlled and fanatically loyal to the President. In theory it is possible that lower echelon personnel in CREEP could have launched an operation as expensive and as hazardous as Watergate without the knowledge or approval of the White House or of Messrs. Mitchell and Stans. Anything is possible, but in the actual context, such a possibility is most unlikely. Politically, Watergate was a high-risk operation; the potential for trouble was enormous. Even if Mr. Nixon never gave his explicit approval—it is sound practice on occasion not to ask candidates embarrassing questions—he cannot escape responsibility for what happened. "Guilt by association" is not involved; that wicked doctrine applies only when an individual is not responsible for his associations in the sense that he did not select his associates. But Mitchell, Stans, Haldeman, Kalmbach, Chapin and Dean—if not Liddy, Hunt and McCord—acted in the name of the President and by his authority. He selected them. Ultimately he is responsible for what they did. If this were not the case, there would have been no reason for him to have his personal counsel conduct an investigation.

Nor can the President escape responsibility for the series of actions taken to suppress the facts. Witnesses were interviewed in the presence of Dean, including some who had requested private interviews with the FBI. FBI reports were turned over to Dean, and Segretti was given

a chance to read his file before testifying. If the FBI had not been thoroughly frustrated, information would not have leaked to the press. It was these leaks that kept Dean on the phone with L. Patrick Gray; if it had not been for leaks we would know much less about what happened than we now know. It is the President who has kept witnesses, including those suspected of direct involvement, from testifying in public by invoking the doctrine of "executive privilege"—which does not apply when a crime has been committed. The President makes a point of inveighing against the release of FBI "raw files" and, in the same breath, says that the late J. Edgar Hoover once showed him such a file. It is a fact, and well known, that J. Edgar Hoover did leak information from such files to selected politicians and newsmen, and on occasion let them see files which had to do with the private lives of individuals who were neither public officials nor suspected of criminal behavior. On one occasion, former Rep. Charles Kersten and his colleague, Richard M. Nixon, summoned counsel for the CIO to Washington and demanded that certain individuals be purged as officers of the CIO or its affiliates. The demand was made on the basis of "raw file" FBI reports then in the possession of the two Congressmen. Yet the President invokes the "raw file" ban by way of justifying the muzzle placed on L. Patrick Gray who was told not to testify about matters relating to Watergate. Not content with invoking "executive privilege" to shield present and former aides, the President then declines to answer questions on the ground that he never comments on matters under Congressional investigation! But it was not "raw file" data that brought Dwight Chapin under scrutiny; it was the admission of Herbert Kalmbach, a Nixon fund raiser and close friend.

The President is in a trap not merely because he is responsible—both in logic and in practical political terms—for what happened at Watergate but because the White House has attempted to conceal facts, to frustrate FBI and Congressional investigations aimed at determining just what did happen, and has also tried to confuse the public by issuing categorical denials which have turned out to be false. Nixon is quoted as saying to Senator Scott: "Hugh, I have nothing to hide, I have nothing to hide. I repeat that I have nothing to hide." But he has consistently acted as though there was quite a lot to hide. If he has nothing to hide then he and his aides should be immediately "forthcoming"; they should tell what they know. Of course it would be embarrassing for the President to admit that a crime was initiated by individuals responsible to him, approved by close associates, and financed by funds raised in his name and pledged to his re-election. But the longer he attempts to evade responsibility, the more embarrassment he will suffer. A crime was committed at Watergate and the public is entitled to the facts so that, as Judge Sirica has said, "the type of activities revealed at the trial will not be repeated in our nation."

How Much Longer?

In World War II, on May 7, 1945, the German armies surrendered unconditionally. Nearly twenty-eight years later, the United States still maintains 300,000 troops in

IN THIS ISSUE

April 9, 1973

EDITORIALS

450

454 French Elections:
The "Too-Pretty Bride"

Claude Bourdet

ARTICLES

456 Police Corruption:
The System Is the Problem

William P. Brown

459 Radicals vs. Liberals:
Confrontation in Berkeley

Mary Ellen Leary

464 Labor and Nationalism:
U.S. Unions in Canada

John Crispo

467 Judicial Activism:
The Courts and Social Policy

Leonard M. Friedman

BOOKS & THE ARTS

470 Storr: Human Destructiveness
Storr: The Dynamics of Creation *Walter Arnold*

471 Naturally (poem) *Theodore Weiss*

472 Stead: House of All
Nations *Charles Lam Markmann*

473 Herbert and Wooten: Soldier *Lee Ewing*

475 Films *Lawrence Alloway*

476 Records *David Hamilton*

478 9 Ways the Wind Lost
Face (poem) *G. S. Sharat Chandra*

Publisher
JAMES J. STORROW Jr.

Editor
CAREY McWILLIAMS

Associate Publisher
LINDA EDER STORROW

Executive Editor
ROBERT HATCH

Literary Editor
EMILE CAPOUYA

Western Representative
GIFFORD PHILLIPS

Copy Editor, MARION HESS; Poetry Editor, GRACE SCHULMAN;
Theatre, HAROLD CLURMAN; Art, LAWRENCE ALLOWAY;
Music, DAVID HAMILTON; Science, CARL DREHER; Advertising
Manager, MARY SIMON; Circulation Manager, ROSE M. GREEN.

Editorial Associate, ERNEST GRUENING

Washington, ROBERT SHERRILL; London, RAYMOND WILLIAMS;
Paris, CLAUDE BOURDET; Bonn, C. AMERY; Jerusalem, HERBERT
KROSNEY; Canberra, C. P. FITZGERALD; U.N., ANNE TUCKERMAN.

The Nation is published weekly (except biweekly in July and August)
by the Nation Company and copyright 1973 in the U.S.A. by the Nation
Associates, Inc., 333 Sixth Avenue, New York, N. Y. 10014. Tel: CH
2-8400. Second class postage paid at New York, N. Y.

Subscription Price: One year \$15; two years, \$27.50. Add \$1 per year
postage for Canada and Mexico; \$2 other foreign.

Change of Address: It is essential that subscribers ordering a change
of address give five weeks' notice and provide their old as well as
their new address. Please give Zip Code numbers for both addresses.

Manuscripts. All work submitted will be read by the editors. The
magazine cannot, however, be responsible for the return of unsolicited
manuscripts unless they are accompanied by stamped, self-addressed
envelopes.

Information to Libraries: The Nation is indexed in Readers' Guide to
Periodical Literature, Book Review Digest, Book Review Index and
the Public Affairs Information Service.

THE
NATION

Volume 216

No. 15

West Germany, together with their dependents, bases, armaments, etc. The annual cost is in the neighborhood of \$17 billion, but how much of this tidy sum is borne on the shoulders of the American taxpayer depends on who is doing the estimating. The West German Government pays about 80 per cent of the foreign exchange cost through "offset" purchases of American arms. The Pentagon claims that if the troops were not in Germany, they would have to be maintained at equivalent strength in the United States to guard against the rather unlikely event that the Russians suddenly went berserk and invaded West Germany. After solemn consultation with their computers, the Pentagon experts conclude that the actual net cost is only about \$4 billion. A mere bagatelle, by Pentagon reckoning. But our 300,000 troops in Germany are only half of the 600,000-plus uniformed service people stationed around the globe—not including naval personnel. Of course things were worse when we were at peak strength in Indochina, but the burden remains oppressive.

None of this has escaped the attention of the level-headed contingent in the Senate. In 1971 and again in 1972, the Senate tried to adopt resolutions calling for a 50 per cent reduction of American troop strength in Europe. Both attempts failed, on the broad theory that only the President knows the military score, and that he should have a free hand in such matters. Now, however, the case for some reduction has become so obvious that Senator Mansfield introduced a resolution which received overwhelming support by the Democratic caucus. The resolution calls attention to the fact that Americans are plagued by domestic inflation, that the value of the dollar is declining abroad, and that a "substantial" reduction in American force levels overseas would "save billions of dollars and help, thereby, to halt inflation, strengthen the dollar and permit additional use of tax revenues for domestic purposes." But also, in military terms, a good case can be made for a "substantial" reduction of American troops now stationed in Europe. President Eisenhower once suggested that a single American division would be as good as three or more, since actually its only function was to involve the United States in any fighting that might take place over the status of Berlin, or some such action. Moreover, as soon as the armies clashed, battlefield-sized nuclear weapons would come into play, followed within seventy-two hours at most by the ICBMs and megaton missiles.

Now another factor is coming into play, as it always does sooner or later when foreign troops are stationed in a country, whether in Asia, Europe or anywhere in the world. Anti-American feeling is rising in Germany. So far, this appears to be sparked mainly by young leftist members of Willy Brandt's Social Democratic Party. Resentment over this country's role in Vietnam is a prime cause but other factors are cited, such as disputes (as in Japan) over airplane runways, and attempts of German towns to levy real estate taxes on American bases. Willy Brandt has tried hard to cool this "ugly American" sentiment, for he would like any partial pullout of American troops to be balanced by substantial Soviet troop withdrawals from Eastern Europe. But the time may come when German impatience with the continued presence of

American troops will match sentiment in this country favoring their withdrawal or at least a substantial reduction in their numbers.

The issue is being raised at this week's meeting of the Social Democrats in Hanover. As a Nobel laureate in the cause of peace, Brandt was under extremely heavy pressure to condemn American aggression in Vietnam, but he refused to express publicly what must have been his personal feelings. Youthful Social Democrats have denounced him as "a stooge for Nixon." In an effort to defuse some of the opposition, Brandt allowed his Finance Minister, Helmut Schmidt, to make a passing reference to U.S. policy in Vietnam. Innocuous as the paragraph seems to have been, press reports said that Schmidt was informed in "icy terms" of Washington's displeasure.

In short, as the quasi-occupation of West Germany by the United States approaches the end of its third decade, bad feeling is simmering on both sides. Of course it would be desirable if a mutual withdrawal of forces could be negotiated, but the time is fast approaching—if it has not arrived—for a "substantial" reduction in American forces stationed in Europe. The longer the issue is permitted to simmer, the more mischief it can cause.

Oil for Arms

Earlier in the year the Shah of Iran was "standing up" to the big oil companies and making headlines. With a population of 30 million, Iran produces some 4.5 million barrels a day, amounting to yearly revenues of about \$4 billion. The consortium which is extracting the oil includes Shell; Texaco; Mobil; the new little brother, Exxon; British Petroleum; Cie. Française des Petroles; some U.S. independents, etc. Their contract for the concession expired in 1979, but it contained an option for renewal for another fifteen years, which would have extended it to 1994. The Shah decided not to honor the renewal clause. He announced that he was not satisfied with the present level of production—he wanted it doubled, no less. This would entail a capital investment on the part of the companies of at least \$2 billion, hardly a safe venture under present conditions, with perhaps worse to come. The Shah was threatening complete nationalization by 1979, with the companies in the consortium relegated to the position of customers for the oil output, in what looks like a sellers' market.

Here, to a superficial view, was another case of the puppet threatening the puppeteer. The CIA had put the Shah in power. When Mohammed Mossadegh opposed him in the early 1950s, the Shah fled the country, and found it safe to return only when Allen Dulles deposed Mossadegh with the aid of \$19 million distributed in the right places. Though that was long ago, on closer inspection things are not so different now. The CIA, to be sure, can no longer engage in the rough stuff which was the rule in the fifties, and to that extent the puppet is no longer that much of a puppet, but deals can still be made when the right people are on hand to make them.

Like Richard Helms, for instance. Until recently he was head of the CIA; then it was announced by the White House that he would become ambassador to Iran.

This seemed like an act of kindness; though shorn of power, a faithful public servant was rewarded with an ambassadorship. But there was more to it than that. The Shah had attended the exclusive Le Rosey school in Switzerland, and he and Richard Helms had been classmates. Of course the old school tie could avail only so far, but Helms knew his way around in Iran, and in oil.

If the Shah's confrontation with the oil companies was not wholly phony, neither was he biting the hand that had fed him—the hand of the United States. Not that, on his record, the Shah would hesitate to bite if such action offered him a real advantage, but the United States is by far the most powerful military nation in the world, and the chief arms supplier. The Shah has agreed to buy between \$2.5 billion and \$3 billion in arms from Uncle Sam, and to pay cash on the oil barrel head—"the biggest single arms deal ever arranged by the Pentagon" (John W. Finney, *The New York Times*, February 22). This is convenient for both sides. It will help the United States in its chronic balance-of-payments problem. Second, it will help keep certain of our arms manufacturers in trim, now that they face some cutbacks in other directions.

It will do nothing for the Iranian people, whom the Shah will continue to rule as a feudal fief. The great majority of Iranians are desperately poor and some of them, university students in particular, are in a rebellious mood. When they are caught by the Shah's police they are jailed, tortured and put to death, depending on the enormity of the offense. However, dissidents abroad are a long-term threat. In February a Republic of Iran was proclaimed in Washington by a Committee for Free Iran, whose demands include freedom of the press, freedom of assembly, freedom of speech, the end of the police state, and an end of the monarchy.

It is hardly likely that the Shah needs several billion dollars worth of arms to cope with his internal enemies, and the government in exile is not a formidable threat at present. But it asks awkward questions in its newspaper, *Iran Free Press*: "Why must a country like Iran, with a majority of its citizens impoverished and facing no real military threat from the outside, spend billions on armaments?" The paper charges that any country with an investment in Iran can bleed the Iranian people and deprive them of the necessities of life. Moreover, the arms—fighter bombers, patrol planes, helicopters, etc.—can be used to establish the Shah as the master of the Persian Gulf, from which the British withdrew in 1971. With the arms supplied by the United States (some also by the British) the Shah can dominate the other oil-rich countries in the area, and the United States is apparently satisfied to see him establish himself in that role.

The Iranian students in the United States have no love for their ruler, and it is possible that they will try to give him a lively reception on his forthcoming visit to the United States. What with the U.S. Army, Navy, Air Force and the Marines; the CIA, the FBI, the Washington police, et al., the Shah has little to worry about. Law and order will be maintained, we may be sure of that. But in the long run, the outlook for the type of government the Shah represents—and the United States supports—may be no brighter than that of similar tyrannies that have come and gone.

The Panamanian Gambit

It is doubtful whether the negotiations between the United States and Panama over a new treaty for the Panama Canal will move forward any faster as a result of the recent marathon session of the United Nations Security Council in the legislative palace of Panama City.

But new facts of political life have emerged from the meetings in the moist heat of Panama, under the glare of giant billboards proclaiming anti-American slogans, and from the verbal battering of American positions in the colonial enclave of the Zone by eleven foreign ministers of Latin American and Caribbean nations supported by Communist and Third World countries.

Panama's strong man, Omar Torrijos, has succeeded in drawing the attention of the world to his country's plea for sovereignty over a vital corridor of its territory now in foreign hands. General Torrijos took the risk of jeopardizing slow but steady negotiations with Washington in order to dramatize the situation and enhance his own popularity. The American eagle, so free in the past with other nations' colonial possessions, reacted to his pressure tactics with an imperial "No."

The American veto has not been able to thwart Panama's main aim: to make an international issue of the bilateral dispute over the Canal. The Panama question now hangs like an albatross over the United Nations agenda. It will perhaps eclipse, in the foreseeable future, the perennial U.N. debates on decolonization in Southern Africa. The fact that Panama holds a seat in the Security Council until the end of the year (and Peru until the end of 1974) could make such diplomatic moves easy indeed, either as a reality or as a threat. The large Latin American group at the U.N. will now assume its full weight in the Third World, not only in its frustrations at the economic gap but on political problems as well.

The Organization of American States will also be shaken by the Panama meeting. Not all Latin American countries are following Panama's bold attack, but the monolithic attitude of the U.S.-dominated OAS, already cracking over Cuba and from outside criticism by the new Caribbean nations, will be further undermined as a result of the Panamanian gambit.

ANNE TUCKERMAN

Whither Amtrak?

The lesson of Amtrak is one that *The Nation* has stressed again and again, and particularly when the hybrid corporation was formed and began operating nearly two years ago. It is that public service cannot be measured by a profit-and-loss balance sheet and that the mindless pursuit of such false logic provides neither the benefits of "private" capitalism nor of nationalization which, contrary to popular impression, is not tantamount to socialism. The U.S. Postal Service is one example of how not to operate an indispensable public activity; Amtrak is another.

In the latter case we might well study European experience. Most European countries have long since reached the conclusion that only the government can provide adequate rail service. In consequence, some first-class trains run within and across national boundaries in Europe,

while in the United States scarcely any decent passenger service survives. And as the railroads deteriorated under truck, automotive and air competition, for people to travel by train, except on commuter runs, became almost as outmoded as high-button shoes.

But this is an illusion. It is not a question of style but of necessity. Without commuter rail service metropolitan highways would in many cases become downright impassable. Many people who cannot drive and are afraid to fly (a more common condition than is generally realized) want to travel even long distances by rail—and then there is the freight problem. The looted Penn Central alone carries some 260 million tons of freight a year, and to fail to use its tracks for any other purpose is hardly a shining example of American efficiency. Nor is tearing up rails for sale as scrap in the public interest, although it may relieve a railroad of tax and maintenance burdens.

Amtrak is not a fair example of what government operation might do if the objective is to serve the public. Amtrak is a bastard form designed to unload passenger traffic from the major rail lines. The presence of major railroad executives on the Amtrak board is one indication of Amtrak's real objective. These are not the kind

of directors who would be appointed if the system were to be given a fair trial. Most of the equipment is antiquated, and roadbed maintenance in some cases is so bad that Amtrak trains creep along at ridiculously low speeds for fear of derailment. Accidents are frequent. The fact that Amtrak has shown a slight improvement overall is an indication that, with dedicated management, it could operate efficiently, instead of making the United States a laughing stock when compared with foreign countries.

The Nixon Administration is quite blatant in its plans to dismantle passenger rail facilities without regard to need for service. *The New York Times* (March 16) reported on a draft proposal stating that it is not in the public interest to require a bankrupt railroad to continue to operate money-losing lines indefinitely, "no matter how great the need for service." Instead of looking for ways to fill the gap, the Administration is ready to throw in the towel.

Sen. William B. Saxbe (R., Ohio) has introduced a bill for purchase at liquidation value of the properties of the distressed Northeast railroads, including the Penn Central, to permit nationalized operation. It is the only current proposal that seems to make sense—which may be why it stands little chance of passage at this time.

FRENCH ELECTIONS: THE 'TOO-PRETTY BRIDE'

CLAUDE BOURDET

M. Bourdet is the author of A qui appartient Paris?, published by Editions du Seuil (Paris, 1972).

Paris

Everybody has been surprised by the result of the French elections and the government was as surprised as anybody. Few people expected the Left would actually win, but everybody expected it would be a very close shave and the government would have to rely, for its new majority, on the support of the so-called "Reformers," the Center elements around Lecanuet and Servan-Schreiber. Instead, there was a clear majority for the government "as is," and theoretically M. Pompidou can even do without the Reformers and keep going with his old government or another one very much like it.

How did all this happen? Are the French really satisfied with the present regime, and if not, then what? M. Mitterrand, the Socialist leader, put the same question in a humorous and detached way immediately after the election, saying something like this (I quote from memory): "On Monday they are on strike; on Tuesday they demonstrate in the streets; on Wednesday they are sending delegations on a protest gathering to the local mayor; on Thursday the farmers among them are blocking the streets with their tractors; on Friday there is a mass rally against the government in the town's central square. I don't know what they do on Saturday, but on Sunday, they certainly go and vote for the government." This was said about some town in Brittany, I think, but it could apply to many other areas and constituencies.

Of course Mitterrand was pushing things a bit far and got carried away by the well-known French love for a "*mot d'esprit*." But although it is impossible to explain everything, there still remains a strange overall phenomenon and we'll also have to look at that.

The first explanation can be, of course, given on the simple basis of arithmetic. Actually, when you look at voting figures you see immediately that the whole of the Left polled some 10,927,000 votes, for which it got only 177 members in Parliament, whereas the whole of the right-wing majority polled only a little more, 11,160,000, and got as many as 280 members, far more than the necessary majority of 246 in a Parliament of 490. This gross unfairness of representation is due to an election system which not only benefits the winner (like all majority voting systems do, as opposed to proportional representation; the same happens with the "one man one ballot" system in Britain) but also provides, between the two polling days, for a possibility of alliances and various combinations against some possible enemy. And naturally these last-minute alliances are especially easy to arrange in smaller rural constituencies where the Center and the Right have most of their strength, whereas the Left relies principally on large industrial areas or traditional democratic and Socialist agricultural areas in the South (the wine country), where people have voted Left for generations and where results could be foreseen from the start.

But the main factor of the government's victory, once account is taken of the structural factors, was the successful manipulation by government publicity, up to the very last day before the second poll, of the "central" group of opinion which voted largely for the Reformers.

For weeks and months before the election, the government's propagandists had played a game which some on their side considered dangerous: by using, manipulating, and often simply presenting cunningly the latest opinion polls, they made everybody believe that there was a clear possibility of a left-wing victory. Then there were rumors spread by the business world, maybe true, maybe false, that French capital was fleeing at a tremendous rate; it was bruited about that some of the larger banking firms had already moved most of their assets and their management staffs abroad.

The government also used all this publicity weaponry to make people believe that a victory of the Left meant a victory of the Communists, and these would soon take over "as in Prague and in Budapest." The most extreme of these propagandists was the Minister of the Interior, M. Marcellin, who told his constituents in Brittany that he had a complete blueprint of the proposed Communist takeover; I don't know whether this hair-raising picture was compiled by that Fascist-minded politician himself, or by the always eager Paris police offices, overstaffed and full of James Bond worshippers. But the effect was certainly stunning!

In a country where, apart from one or two independent papers such as *Le Monde*, the whole of the press is in the hands of the most reactionary kind of capitalism (the same applies to the private radio networks), and where TV is under total government control, this day-by-day hammering could not fail to have some effect. It is surprising that it didn't have more. But it certainly influenced the middle-of-the-roaders, especially those who were deeply opposed to the government but who were also fearful of communism and even socialism. These were the constituents of the Reformers. They polled a bare 12.5 per cent in the first ballot, but it was clear that much would depend on how the voting would go on the following Sunday. And of course the government's propaganda machine stepped up its activity, trying to impress that segment of public opinion and also the Reformers' leaders. Although the Left had polled only 46.5 per cent and therefore its chances of coming to power appeared rather slight, the "Communist threat" was played up with increasing strength.

The trick not only worked on the public—it "took in" the Reformers' leaders and especially M. Lecanuet; he went to see the Prime Minister at 5 A.M. hoping to catch the press sleuths unawares (he didn't), and made an agreement by which he "ordered" all the constituents of the Reformers to "stop communism" on the next Sunday. As a result of this horse trade, a few more Reformers were elected with right-wing votes, and a number of right wingers with Reformers' votes. The agreement made all the difference for Pompidou's majority. Lecanuet was promised a "handsome" ministerial job in the next cabinet and has therefore been able to reap some personal profit from this election. He was able also to achieve the election of his associate, Servan-Schreiber, who was out on a limb, not convinced the left wing was the real threat.

But everybody around them and among independent observers thinks he overdid it. With a few more members elected on the Left and a few less on the Right, the Reformers would have been in an essential arbitrating posi-

tion between the two blocs. Their power would have been huge compared with their numbers. But now their influence will be very limited indeed, as the Pompidou majority can do without them. So, even if Lecanuet gets, as he probably will, the "good" job he wants in the government, his power to influence future events will be small and many of his followers are resenting his submissiveness to the powers that be.

More generally, one meets many people who say "*la mariée est trop belle*," the bride is too pretty. They didn't want the Communists in, but they were fed up with fifteen years of the Gaullists' and Pompidou's big talk and small efficiency: the numerous scandals, the plundering of town and country by the big "robber businessmen" close to the government and by the smaller vultures in their wake (only the latter have been spotted because the others acted "legally"), the ludicrous and miserable housing policy, the billions wasted for nuclear *petite grandeur*, etc. All this has made many people tired of the system and that sentiment was expressed in the clear fall of the right-wing vote, compared not only with the panic polls of 1968 (where the middle-of-the-roaders were still frightened by the May "revolution") but also with the more normal year of 1967.

I believe, from many talks with people in various groups of the population, that even many government supporters hoped the regime would be given a lesson and would just "squeeze in," as most people believed before the polls. The question is whether the people in government realize this. Apparently some of them do, and they have more or less privately stressed that they understood their previous shortcomings. But it is doubtful whether the government, on the whole, which enjoys such a plentiful margin of power in Parliament, will stop the various misdemeanors for which it has not been punished. What is likely is that there will be more of the same.

What everybody says and feels is that all those elements of the population who really needed a change, and hoped for it, are going to demand and get it in some other way: demonstrations, strikes, etc. The big demonstration of more than 100,000 schoolchildren and students who marched through Paris on Thursday, March 22, protesting against a new law which would force students to interrupt their studies for early military service, is a good example of this mass reaction against a regime which appears too cocksure. M. Debré, the Defense Minister, wants to punish the students for the anti-government attitude and also to get them into the army at the age of 20 or so, when they can still be molded back into obedience. But he may be up against more than he can handle.

M. Ségué, secretary general of the CGT, the largest trade union, and M. Maire, of the second largest (the CFDT, nondenominational but with a strong Christian influence) have been very ominous about the industrial future. And as the government now feels it can get away with anything, it is quite probable that any strike will be answered in the authoritarian manner the Transport Minister Gallay used against the "sky controllers' " strike (thus causing a fearful air accident and nearly 200 deaths when two Spanish planes collided because of the inefficient military management the minister had clamped down on the airports to replace civilian air control). With such

men as Gallay there are bound to be many early show-downs, and the distant future cannot be foreseen.

Yet another strange factor may be at work. M. Pompidou is apparently very ill and some people believe that he will have to retire before 1976, which is the end of his regular term. An election in the next couple of years might bring François Mitterrand into the Elysée; many

moderates would vote for him because they wouldn't feel that they at the same time would be supporting the Communists. So he might well get more than the total 46.5 per cent the Left has polled this time—and thus become the first French Socialist President. Like Allende, he would be a Socialist President with a right-wing majority in Parliament. But that is, of course, another story.

POLICE CORRUPTION

THE SYSTEM IS THE PROBLEM

WILLIAM P. BROWN

Mr. Brown, a retired inspector of the New York City police, teaches at the School of Criminal Justice, State University of New York (Albany).

Four hundred pounds of narcotic drugs stolen from police custody in New York City: one never heard of anything like that before (although there is now a report from Baltimore of a smaller but significant heroin theft from a police property clerk's office). But we've heard a good deal over the past several years of the problem it represents—*police corruption*, the illegal use of police power to gain money or advantage. Out of the present-day confusion over what the police are doing in our society, has come one account after another of graft or bribery. Words like "the pad" and "the score" have become part of the language. The situation prevails across the land.

Generally speaking, the nature of economically motivated police criminality is much the same wherever it is found. With the exception of the extraordinary growth in narcotics-related corruption (now the most serious problem; it was ten years ago a relatively minor issue), even the kinds of police crime are the same today that they have been for decades. There are three broad categories of illegal police activity for gain: (1) Police cooperation with—in effect, "licensing" of—illegal activity (for example, the payoff from the corner bookmaker); (2) extortion from those who fear official action (for example, the "shakedown" of a respectable citizen caught in some compromising situation); and (3) other crimes in which the police power or connection is involved (for example, thievery by police officers investigating a store that has been burglarized; sale of narcotics illegally withheld after an arrest).

From the flurry of discussion one essential question arises: do these instances of police wrongdoing represent the uncovering of "rotten apples," policemen who are outlaws, or do they indicate corrupted systems? And from that comes the vital follow-up question: what difference to our future course would the answer make?

It makes a considerable difference. If the problem is that of bad individuals, the solutions we need involve early identification (possibly even identification of those most likely to become involved), better investigation, better prosecution. In short, they involve doing more of

what's being done now: with a bigger budget and more men, but the same script. If, on the other hand, the fault is in the system, then the remedy should be directed to the system. The "something" that is being done wrong is in the organization and procedures and possibly in the social or political milieu which have set the crooked cop on his course or facilitated his pursuit of illicit money. A defective or inadequate system may allow police corruption to develop; a crooked system may demand it.

If our final judgment is that to some degree bad individuals and a bad system are both involved, the problem is that much more difficult. Here, then, are some arguments for each of the views.

In every field, some individuals prove extraordinarily susceptible to temptation. Policemen are different only in that their opportunities are probably greater, and it is not surprising that individual police criminality has sometimes occurred even in organizations of high standard. Such cases can be pitiful, much like examples of personal illness or breakdown. In one Western city where the police have earned an excellent reputation, a young officer who had fallen into an impossible financial situation held up a bank and then made no attempt to escape before the police arrived.

At times temptation is so extraordinary that even an ordinarily honest person may succumb. Consider the not so hypothetical case of Patrolman Z, called in at the sudden death of an elderly recluse who had lived in poverty and had no known family. Looking over the apartment, Z discovered a hoard of more than \$100,000. He failed to report it and not long after he retired. It is heartening to report that, time and again, such bonanzas are turned in, the whole incident being regarded as just part of the day's work.

Sometimes police work becomes ensnared in fantasy. That happened last year to Patrolman Y in New York. Employed in the office of one of the department's toughest anti-corruption units, he dreamed up and carried out a "mission impossible" kind of crime. He introduced an enterprising safe-breaker to an employee of the Holmes Protection agency who knew all about the burglar alarm systems in several banks. Thus informed, the burglar made two spectacular breaks, and Y received \$17,000 for his help. Unfortunately, the technical skill displayed

by the thief pointed to the expert and the case broke quickly. Y is now under indictment and the chance that he will enjoy his "payoff" is small.

Obviously, then, police crime can be an individual matter. Bad-apple policemen, from the slightly blemished to the really rotten, certainly have existed. But their appearance will be rare in good departments and soon conspicuous. It is most unlikely that a rogue cop will have a long career in an honest department.

But if the fault is not ordinarily in the individual, then it must arise in the system. First, however, we should be clear what we mean by "the system" in this context. It doesn't mean some mysterious formal group like the Syndicate or Cosa Nostra. It refers merely to the fact that in most continuing situations a composite of rules, laws, traditions and expectations will eventually shape a way of doing things that is reasonably acceptable to those who are working together on a regular basis. Such systems are essentially self-organizing; they can be very stable and extraordinarily shaping on the lives of all those who are part of them.

Obviously, an individual may be a member of a number of different though often related systems. The one I'm speaking of here is that large complex which in any particular jurisdiction determines the police response to the pressures of bribery, extortion and other police criminality. What elements combine in this shaping force?

The "system" is usually strongly weighted by local customs and folklore, for the policeman is apt to be a fairly average lower-middle-class white male from the community. He will hold such beliefs as that everyone is out to make a little extra, and is entitled to it if he can get it; or that officials will routinely use their power to support dominant local interests. He may have worked in construction, as a taxi driver or in any of a score of jobs where every favor was asked or granted across an open palm. He will have all the local prejudices and beliefs, but a national flavor is also involved. Twenty years ago, Daniel Bell wrote that crime is "an American way of life" and our cynicism about our public service is generated by a host of widely held value contradictions. We want favors from public officials and then seem surprised to find that a black market has developed in them. We pass unreal controlling legislation on gambling and countenance the existence of widespread gambling activities.

The police position is complicated and the police-relevant system in a community distorted by what is often an even more powerful force. As public employees, the police report ultimately to political apparatuses which are, in some instances, unblushingly crooked. And even the honest, as Robert N. Winter-Berger noted in *The Washington Pay-off*, have a "seemingly insatiable need for campaign funds."

A surprising amount of this political control is still in the old monolithic Tammany style, but more often today new methods of criminal or quasi-criminal political operation are in favor. The payoff has become more subtle; the legal profession, for example, has provided a whole series of legitimizing covers by way of professional fees for obscure services which are funneled back as campaign

contributions to the political group. Stock options, cash-equivalent sinecures, and a host of other sugar coatings for graft have appeared. Even "moonlighting," which police unions have pushed into legitimacy, can be corrupting. If a large trucking company is willing to hire off-duty policemen at high fees for easy and possibly nonenforcement jobs, the officer who gives that company's drivers a hard time will be unpopular with his colleagues. Political power can be widely diffused, and nowadays you often have to make a study of just who can do what, but the basic principle remains: in cities where there is a strong and corrupt political apparatus, you buy your local cop through a politician.

The system, then, is influenced by two major forces external to the police agency: the social environment and the political pressures on the department. This local, socio-political environment is often neglected in accounts of police corruption, yet it has been the significant developing force for the myriad county or municipal units across the land from which our police forces evolved. They were not created according to clear specifications; they were not insulated from the brawling public amorality of the 19th century, when most of them were established; they were not a professional, unified group, trained according to, and firmly dedicated to, abstract standards. Rather, they were part and parcel of the individual political machines which were part and parcel of the communities in which they had coalesced. Meaningful but abstract standards haven't been involved. Police units have been traditionally isolated from one another, and where there was an old-time political machine, the police have related far more effectively to their local political masters than to any remote, professional, standard-creating institution. The new political influence merely diffuses and makes somewhat more confusing that local reference.

But a large part of the system's formative effect also derives from forces that develop within the police organization. Sometimes such a drive can be strong and positive enough to raise the police above their social origins and make them relatively impervious to most improper political pressures. That usually happens when it is generally accepted within the department that the rules for official conduct should be determined by reference to "professional" standards rather than to the traditions and practices of the local community. Such departments are more often found in the newer and reasonably homogeneous communities of the West and Midwest.

In most departments where corruption is a problem, the professional influence is small or nonexistent. In its place, the new officer learns from the words and actions of his peers. He is taught that an automobile accident or illegal parking in the neighborhood of a well-known restaurant or the arrest of some petty gambler can be "made good." He is expected to go along and that expectation can be a powerful pressure.

He also encounters a series of complex questions that nobody wants to answer. How do you deal with informants? How do you handle "victimless crimes"? Is the traffic or other regulatory job to exert positive leader-

ship rather than just issue summonses? How can the police administration deal with a politically dominated court system? Often a practice that is illegal or obviously wrong is tied in with a network of practices which at least give the police rules of thumb in these areas of indecision. The result may well be that—as the policeman reads the situation—the demands of his job force him to act illegally. He may be told that he is to arrest a gambler on insufficient evidence and then swear to a good case in court. He may, following his assignment to a coveted investigation, be



told that the only way to get the job done is to hire informants and that no official funds are available for that purpose. It isn't surprising, therefore, that before long he decides that if he is going to be illegal, he might as well be illegal for his own benefit, as well as for the good of the department.

Beyond such instances are the cases where the policeman is told that he must defend his brother officers against any outside attack. That's bad enough when it's an instance of undue aggressiveness, producing an "excessive use of force" complaint; but it's very much worse when the person to be defended is an acknowledged thief. An officer who makes a habit of defending such procedures will soon decide that he is entitled to practice what he condones.

All told, for every instance of isolated villainy that sharply contrasts with the ethic of the police institution in which the violator works, there are probably a hundred that are either demanded or supported by those

forces or sources from which the policeman determines his ethical and work standards. It's the system that counts and almost no individual case is as important as one in which the system is involved. However, the system that shapes police conduct may be largely outside the effective control of the police administrator. Political control may be absolute or may form a large part of the administrator's horizon. Even good administrators often lack knowledge of old, not to mention new, trends in unethical practice, and much of their energy is spent on outdated responses to a very rapidly shifting problem.

It should be quickly said that not all of the systems shape the police toward corruption. The political structure in some communities provides a no-nonsense environment in which all agencies—police included—function honestly. In other cities, more interesting to our account, the system has coalesced around a strong police professional tradition: there are some such departments in which corrupt practice is unthinkable. Professionalism is a much prostituted word; it is used here to imply mastery of a complex, clarified, ethically formulated and socially approved task, so that there are guidelines for the objective direction and evaluation of official practice. An accompanying ethic must be developed to provide landmarks in the "gray areas" where an amorphous mystique has ruled in the past and where corruption is usually found. It should be made clear, though, that we're not talking about some elaboration of mystique. The object is not to give more, and more unchecked, discretionary power. We need new, higher and explicitly stated standards that can be reviewed and judged by those outside the field. A man is a professional in this sense when he can do a difficult, complex task according to publicly stated guidelines.

"Professional" departments are not in the majority and the professionally and the politically dominated tend to be at opposite ends of the corruption scale. One authority, James Q. Wilson, sees the political and professional departments coming from different political traditions and being relatively beyond power of effective control. As with most scales of human behavior, there are cases all along that continuum.

There are some steps that should be taken in any department. The administration must define its position on corruption in strong and explicit terms and that position must be made effective. Dishonest policemen should be exposed and prosecuted. No one, either in or out of the department, should have any reason to believe that a corrupted policeman will be protected by the police. These are important internal provisions. Now to still broader needs.

The most obvious answers—politics out, professionalism in; legalize gambling and some other sources of corruption—aren't very new and they are not easy to accomplish. We've been hearing much recently about gambling, prostitution, marijuana possession, and other "victimless" crimes. Removing them from police concern is a solution backed by an impressive list of prestige figures and professional organizations. The next five years should see a number of jurisdictions moving in that direction. Our problem, though, is to determine ways in which

the resistance to corruption as such can be raised and that brings us back to the goal of politics out, professionalism in.

First, the problem of political involvement. Time works against the old-style political machines, but the new diffused political influence is more like a guerrilla operation and hard to attack frontally. However, a police trend toward real professionalism would force a new accommodation to external standards which could reduce the improper influence of the politicians.

Then there is that new political force represented in the power of a police executive or the police union to gain public attention and support. That is both a help and a danger. There will always be occasions for uniformed demagogues to take ethnic or moralistic cheap shots and there will always be people who will support them. But if we can raise the level of professional knowledge so that police spokesmen—high or low—can appeal to and are held accountable to more objective standards of acceptable behavior, they are at once supported in their work and given less recourse to false issues.

Corrupt political control can be reduced sharply in its effect on the police if the focus of public attention is broadened to include the court system, which at the local and state level is politically dominated. The most significant result of the Knapp Commission's study in New York City has been the creation of the Office of Special Prosecutor with its interest in the judicial and prosecutorial processes. If Governor Rockefeller's current proposal to give similar and even extended powers to an agency having statewide jurisdiction is accepted, New York State may come from far back to a position of leadership in the battle against corruption.

It would seem from what has been said that the wrong kind of political control and the right kind of professionalism are at different ends of the corruption scale; they are both parts of a single phenomenon. The real problem then is to introduce the professionalism which can change that police ethic—which is very important to our lives—so that it is more sophisticated and socially acceptable than is the ethic of the average

man, whose conduct ordinarily does not have as much significance for us.

To a large extent, it is a technical problem. If we know what police should be doing and how they should be doing it, the ethical questions we ask and their answers become sharper and more professional. The discussion begins to move out of that irritating area where there are no objectively stated bounds on official discretion.

Corruption potential will be reduced when the police administration knows enough about the technical aspects of corruption-relevant police work so that:

¶The required or expected police job will not support or press toward corrupt practice.

¶The police task is openly defined and clear enough so that the administration will be able to spot corrupt practice promptly.

¶The administration will be able to deal with corrupt practice effectively and drastically.

But technical definition is not the only important aspect of the matter. Police administration must also recognize and offset the power of the socio-political environment. It can't force policemen to give up political alliance with the law-and-order vote, and it can't force police unions to take the strong stand against corruption that progressive administrators would prefer. One reason is that that alliance and a more equivocal position still give a better return than would rank-and-file acquiescence in rigorous administrative procedures. The policeman feels alone and he appreciates protection more than fine distinctions.

He must be attracted as well as driven to the straight and narrow, and that will happen only when a complex and difficult task is defined and made possible. Moralizing won't help. The stick is effective only as long as the carrot alternative is worth seeking, and the whole stick-carrot approach produces neurosis and cynicism if direction is not clear. In addition, it converts readily into the administrator's easy vision of individual blame. Crooked cops must be punished, but we err when we see them as the cause of the problem rather than its manifestation. The "system" is the problem and it is there that corruption must be met. □

RADICALS vs. LIBERALS

CONFRONTATION IN BERKELEY

MARY ELLEN LEARY

Miss Leary has been a West Coast political writer for more than twenty years, most of them on the Scripps-Howard San Francisco News. She is now a free-lance writer.

Berkeley

There are no Republicans in Berkeley this spring; no adherents of the right wing, not so much as a tepid conservative. The voters' registration list may seem to gainsay this. It shows some 11,600 in the GOP column (outnumbered 5 to 1 by Democrats), and the Berkeley

Gazette, chronic herald of ultra-Right alarms, still plays up stories that titillate the apprehensive "Establishment." Nevertheless, the Republicans have gone underground.

The political scene, as Berkeley approaches an election on April 17 to fill four seats on its city council, has been given over to a contest between a "radical" slate which calls itself the April Coalition and a "liberal" slate, the Berkeley Four. Hill dwellers who customarily scoff at liberals as "soft-headed" or "bleeding hearts" are scrambling now to support the Berkeley Four. Two stolid conservatives, one a present council incumbent

whose term runs out and the other a recent incumbent, took themselves out of the running to let support consolidate against the radicals. That is how desperate the Berkeley Republicans have become to stave off a "revolutionary takeover" which has been promised or threatened—depending on where you stand—over the past two years. This election, said the *Gazette*, "is the last effort on the part of rational, reasonable people . . . to hold the line against the far-out platform and far-out, soak-the-rich, drive-industry-away, junk-city-government mentality of the radical April Coalition."

That is a fair sample of the hysteria one encounters in the picturesque residences that cling to the precipitous, lovely Berkeley hills. In the flatlands—in the crowded, incense-redolent communes, in the off-campus streets where leather artists and candle makers squat on carpet scraps to sell their wares—the talk is fairly calm, but just as serious about victory. The young jostle their way through the poster-festooned, cardboard-box clutter of the tiny offices above Telegraph Avenue that serve as "radical" headquarters. In what is derisively labeled "People's City," things are moving along about as scheduled. Two years ago, a foothold was gained on the city council, with the election of three candidates. This year, if the radicals win even two from their slate of four, it may indeed be a "takeover." In a nine-vote body, five who hold together can have their way. What worries the radicals is that they haven't enforced quite such unanimity. If they win control, the aim is for tighter discipline.

The prevailing impression of radical rule, from recent Berkeley City Hall experience, is quarrelsomeness, obstructionism, foul language in public debate, interminable post-midnight niggling over detail, and often a paralyzing stand-off between black politics and women's lib politics. The net effect has been divisive. A community characterized through most of its history by genteel tolerance, openness to outlandish ideas and extraordinary freedom in life style has been polarized into contesting, hostile camps. It is quite a while since tear gas smote the eye and almost a year since a trashing spree erupted downtown, in madcap property demolition, but the smell of battle hangs over Berkeley.

It would be unfair, however, to let that dark summary stand alone. One needs to look also at the substance of what the Left-leaning government has accomplished in Berkeley (credits to itself, at least) and the trouble it has stored up for the future (debts, unimportant to the radicals, worry a considerable sector of the community also dedicated to "change").

The radicals boast a drastic redesign of the city's Affirmative Action policy, after a bitter eleven-month stand-off that froze employment entirely. Under the new terms, public jobs in the city are now open to minorities and to women with probably fewer restrictions, less biased exams, lower educational requirements, greater waiving of police records, and more genuine encouragement than one could find anywhere else in the country. Also on the credit side, the voters approved a rent-control law last November, and this January elected a rent-control board whose powers over tenant-landlord relations exceed those in any other city that has tried to curb rents.

Balancing these gains are the troubles: business license taxes were increased; Berkeley's unemployment rate is highest in the area; its retail sales recovery last year was markedly behind the state's average; mid-city commercial properties have noticeable vacancies and construction money has tightened; building permits are way down in the latest reports. However, talk of a mass business exodus remains just talk.

The most serious negative factor is diminished morale among public employees as, in recent months, the city manager, the assistant city manager, an administrative assistant, the city attorney and the city librarian, all officials of long service and outstanding reputation, quit Berkeley for jobs elsewhere. In addition, seventy police officers with irreplaceable local knowledge have voluntarily resigned, most of them being men with more than five years' service. To a force of 193, the loss of seventy experienced men is an enormous blow. Police Chief Bruce R. Baker remains at his post. A University of California graduate and Berkeley-phile, he considers that a lot of police forces which are frozen into bureaucratic patterns fashioned fifty years ago may have worse problems than he faces. Nevertheless, the loss of trained men, plus severe, and seemingly punitive, budget cuts in the face of rising crime rates have hurt. What hurts still more has been an attitude of vituperative hostility to police, fanned by radical leadership and expressing itself in city council abuse, excoriation of the police intelligence unit, characterization of police efforts to prevent household burglaries as "fascism."

There are other pros and cons in Berkeley's recent history, but despite apprehensions, the city maintains the impression that it is a dynamic and interesting place to live. What lightens the spirit is the involvement of the young in both radical and liberal camps. Property turnover is extremely high, to the delight of realtors, but for every house emptied as families flee to safer suburbs, new young families move in from the surrounding San Francisco area. They are affluent enough to endure the taxes, sympathetic to the high degree of racial mix, and fascinated by the spirit of social and political experiment in the university environs. Whether debate concerns a "rape center"—a twenty-four-hour haven to afford sex victims more solace and better medical attention than the police provide—or buying out the utility company service lines, to divert its profits to the public coffers, the ferment stirs excitement. Where else could a mere city council election rate outside attention?

Students at the University of California, in assorted protests over civil rights or the war in Vietnam, used to generate the interest. Now Sproul Plaza is almost somnolent, and the speech-making and crowd-gathering have moved a mile or more west. City council meetings, often packed to the rafters and running past midnight, have been known to erupt to the cry of "Take to the streets, man!"

A surprising proportion of Berkeley is consciously concerned about what city government ought to be doing or ought to quit doing. A few people play tennis, sail boats or ski on weekends. The rest are intimately concerned with the probability that, whether the radicals do

it at their pace or the liberals at theirs, Berkeley will refashion its city government to provide more services for more people in the lower-income range, impose more controls over land use and neighborhood density, curb the automobile, alter the policeman's role, enlarge health care and child care, foster low-rent housing, and concoct structures through which neighborhoods will have more say about political decisions, and all of these at added cost in taxes.

The dissatisfactions which have set Berkeley to simmering have their parallel in other communities, but the oddity is that Berkeley goes bounding off to the Left, seeking remedies, while the rest of the country seems bogged down in a passive conservatism, letting somebody else make the hard decisions. This contrast to the prevailing rightist trend gives an aspect of unreality to events in Berkeley. One professor noted that students quitting university life for "the real world outside" must have a bruising experience when they discover the intolerance, the stratified institutions and the indifference toward political issues that characterize so much of America. "Berkeley is unique. And the kids think it's the universe."

It is impossible to judge yet whether Berkeley's radical tinkering with governmental structures is also unique, or perhaps the foreshadowing of a national trend. The re-tailored City Hall may be just another university experiment in a city-size laboratory, where exaggerated democratization of American institutions can be undertaken for the edification of professors and students. Or, Berkeley may be, as some claim, the cutting edge of a future still over the horizon. It is being claimed by some that the clash between radical and moderate-liberal—rather than radical and reactionary—could pay off by proving the viability of the democratic process. Instead of stalemate, it may produce change, and thus disprove charges that American institutions have petrified. It could be that President Nixon is handing responsibility back to local communities just as new hands are reaching for the helm.

Some basic ideas for change in local government have emerged in Berkeley. They are by no means the exclusive inventions of Coalition radicals, though usually touted as such and framed by them in terms of extreme solution. One is the relationship of police to community. In the era of riots, protests and demonstrations, the police became the most visible symbol of government. However necessary the maintenance of order, however temperate the style, the Berkeley force became a divisive element, viewed as an instrument of protection by the establishment, as a restraining or repelling militia by students, street people and blacks.

The rest of the United States toyed some years back with citizen police review boards, but lost the notion amidst urban uproar. Berkeley has kept nagging at the problem of how to bring the police into closer sympathy with its various neighborhoods, has refused to increase its weaponry, has sought to expand the police concept of "service." Back in 1970 massive protests halted police plans to buy a helicopter. In 1971 radical sources sponsored an astonishing initiative which pro-

posed to chop the city into three segments—flatlands, campus area and hills—and give each its own police, responsive to neighborhood whim. It was overwhelmingly defeated, but this year four new initiatives propose less drastic modifications that continue to press for "community participation" in forming police policy. Among other things, they would require policemen to live in Berkeley, so that they would "understand and have a personal stake in the quality of life" and be personally "known and accountable" to local neighborhoods. The men still on Berkeley's force recognize that they constitute a point of friction. Despite budget cuts, they have shown considerable adaptability. They created a community relations unit, have recruited more minorities and opened patrol work to women. Their new image is the rookie with flowing handlebar mustache and hair curling out from beneath his uniform cap. But pressure continues for still more change.

Another obsession in Berkeley is the neighborhood. To the sedate and orderly, "preservation" is paramount: keep out high-rise developers, enlarge open space and greenery. Berkeley is the very womb of ecology enthusiasts. The commitment to "zero growth" exasperates businessmen, but in Berkeley it is a fact of life. Down in the flatlands, neighborhood preservation is thought great—if you've got one worth preserving. People there are concerned about better housing for the elderly and poor at low rates; they offer a host of proposals for low-interest loans through public instrumentality.

But the most vivid aspect of "neighborhood" is to be seen in the walk-in clinics, the "runaway centers," the free showers, the drug-treatment spots with which private energy and resources have contrived to meet the needs of the off-campus community. The creative services that have thus evolved are far more satisfactory to this life style than the assistance provided by conventional institutions. "I have waited five hours with a very sick young person at a local hospital and been told to come back next day," said a clergyman from Berkeley's south campus area. "But I can steer somebody to the Free Clinic and he gets good medical attention inside an hour and no forms to fill out."

The Coalition is convinced that out of such neighborhood creativity new instruments for self-government can be evolved. As a result, a fifty-six-member commission has been at work this past year, studying how to revamp Berkeley government. The ideas produced range from one extreme of strong-mayor rule to the other extreme of loose neighborhood "town meetings" or "councils." The city manager, once a symbol of reform government, seems slated for replacement, though with what is yet unclear. There is some suspicion that the radicals, were they to win control of the council, might not be so zealous about distributing power back to the neighborhoods.

Some aspects of radical approach to governmental restructuring, however, serve only to alienate and alarm other Berkeley sectors. One is the Coalition view that the "haves" in Berkeley—the business and professional middle class and wealthy, off campus and on—have too long dictated the priorities for government service and enjoyed a preference in its benefits. The Coalition platform is

threaded through with a purpose to take power and advantage "from the hands of the few." It continually emphasizes services needed especially for those long "subject to racial, sexual and economic oppression." It suggests exploiting the taxpayers for the benefit of non-taxpayers without much heed to due process. This promotes distrust and acrimony in the community, however valid the charge that exploitation in the opposite direction has been going on unheeded. Consensus, the accommodation of conflicting views, the compromise on which democratic government depends are difficult to reach in Berkeley.

Disparagement of governmental "professionalism" is another irritant. As moderate city Councilman Edward Kallgren puts it, "Mass meetings and gut reaction to crises don't provide the continuity government needs to carry on, day after day. The Coalition proposes unstructured pure democracy and it does not work. You need professional services." The open scorn with which Coalition members view budget analysts, street engineers, election clerks, personnel experts is a constant abrasive in city council sessions. Acting city manager, Paul H. Williamson, a black, exploded at a recent session over the verbal abuse to which his staff was being subjected. "I will not allow my staff to be treated like animals. They are here to serve you. But you can't talk to me like that."

Press headlines about radicals in Berkeley imply imported doctrinaires, straight out of Moscow or Peking. But Berkeley's radical thrust is home-grown. It carries forward, in new dimensions, a trend to force government to be flexible, a trend to broaden government services, which commenced about 1959 and has been enlarged and fed by local events ever since.

Although California local government is legally non-partisan, it was pretty generally Republican-dominated until about 1959; since then, Democrats all over the state have inched into prominence in city and county offices. In Berkeley, the Democrats managed to capture both city council and school board, and set out with discipline and fixed purpose to provide more equitably for racial minorities. They proposed a local "fair-housing" law which ultimately led to such a law at state level; they undertook the first voluntary cross-city busing for school integration which is still functioning and still has majority community support. Such moves gave Berkeley a national reputation as a center of liberalism. But that mode of liberalism was overwhelmed by the far more impassioned surge of student concern for campus civil rights and by reaction to the war in Vietnam. The impetus to translate student outrage into more flexible and more compassionate local government has found expression in Berkeley's local elections, ever since the 1966 "peace" candidacy of *Ramparts* writer Bob Scheer for Congress. Successive moves to lodge peace activists on the city council failed until the core of tenacious young people staged an overwhelming student drive in 1970 which elected black city Councilman Ronald Dellums to Congress, and the following year put three of the four "radical" candidates into City Hall. Names which flit through the campaigns the past six years as strategists, researchers, registration leaders are the same figures

directing the April Coalition. They have sustained a drive to redirect the energies and the revenues of local government toward the problems of the poor through this whole period; many of them have now moved from University of California undergraduate status to law studies, law practice or doctorate candidacy in such fields as education, sociology and economics.

Visible leader of the radical movement today is Ilona Hancock, a most attractive, self-contained young woman of 32. She ventured into local affairs eight years ago through the peace movement, as did so many in Berkeley. She took time from her two young children to work with Women for Peace, then "New Politics." She became the Coalition's major candidate in 1971, and won a council seat. Mrs. Hancock has since become the Coalition's prime voice. "A Populist radical," she calls herself, very much into coalition politics and the women's movement. The whole city knows her as "Loni."

In the reach for coalition between university activists and blacks, the radical ticket in 1971 also successfully sponsored two young lawyers put forward by the Black Caucus, D'Army Bailey and Ira Simmons. Berkeley, with about one-quarter of its population black, has attracted a large number of newcomer blacks who have not lived through its progressive history. To them, the steady gains over the past decade are irrelevant. They want power, privilege and a good life for blacks—now. They give scant credit to the esteemed black Councilman Wilmont Sweeney, who has carried forward NAACP and Urban League programs through twelve successive years of public service. To the dismay of many, Simmons, and particularly Bailey, who is the dominant figure, have divided the black community, and by their council demeanor irritated their black colleagues and outraged the general citizenry. Berkeley has a young black Mayor, Warren Widener, three other black councilmen, a black city attorney, a black acting city manager, a black director of personnel (plus a black Congressman and black state legislator). But Bailey, in the guise of black champion, has been so abusive and vituperative to other blacks that Councilman Sweeney is personally leading a recall move against him.

Bailey and Simmons, instead of supporting Coalition goals, deem them in conflict with black objectives. Bailey, a markedly intelligent Yale-educated lawyer who came out of Memphis on the momentum of civil rights service, single-mindedly presses for all-black solutions to problems. Teaming up with white liberals or radicals only "dilutes" Black Power, as he puts it. He is explicit that blacks must use politics for their exclusive advantage. "This perfectly justifiable view leads to my being called a racist," he says with a shrug.

What the radicals think of Bailey and Simmons was clear when they failed to invite them to this year's platform-drafting conference or nominating convention. The two have often pitted black interest against women's lib interest in issues before the council, not an endearing stance, and they would leave radical proposals initiated by Mrs. Hancock dangling without a second. This year's Black Caucus nominee, accepted for the radical ticket, is Margo Dashiell, 30, a woman with a long history in Berkeley's black interests, a college instructor in so-

ciology, and someone not likely to put down women's lib. Two April Coalition candidates are from the campus—Peter Birdsall, 22, graduate student in public policy, campus co-ordinator for the Dellums drive and one of Mrs. Hancock's numerous volunteer staff; and Lenny Goldberg, 27, a doctoral candidate in economics who also teaches at a local college and is usually described as the slate's "most radical radical." The fourth member is Ying Lee Kelley, 41, dear to Coalition members for a commitment to the peace movement that included three arrests for anti-war picketing. She is a Berkeley school-teacher, was a McGovern delegate, and is involved in the women's movement.

Of course, the Coalition does not pre-empt all of Berkeley's political initiative. One proof is Mayor Widener, who first tasted politics as administrative assistant to a local legislator, then got onto the city council, steering his own vigorously liberal course. He won the Mayor's post two years ago, presides over and votes with the council. Further evidence is Edward Kallgren, a moderate-liberal Democrat who is a San Francisco corporation lawyer. Self-propelled into the council race last time, he topped all in total votes. This year, he initiated the move to counter Coalition radicals with a slate more broadly representative of the whole community, as he saw it. In his living room assorted U.C. faculty, PTA leaders, student remnants of the rent-control fight, old-line Democrats and a number of young professionals in their 30s welded together the "Berkeley Four."

It includes Susan Hone, an attorney's wife, who has been for four years active in liberal politics, her long blonde hair and granny spectacles visual proof of her close identification with campus attitudes. She has the advantage of incumbency, having been the council's choice, after months of disagreement, to fill a vacancy.

The strongest member is clearly Sweeney, running for his fourth term. Community respect for him is measured by the recent award of "most outstanding citizen" status. The two others are from the campus: U.C. student Joe Garrett, 24, working toward his doctorate in urban land economics, who emerged politically in the rent-control campaign; and a fast-rising black attorney, Henry Ramsey, Jr., so effective in trial work in the area and diligent in black causes that he was named two years ago to the U.C. law faculty. Mayor Widener has endorsed the Berkeley Four. His wife, a top state Democratic Party official, is their campaign director.

The striking thing about these rival slates is the degree of similarity in their objectives. They share an impatience for change and agree on the specifics of where to begin: more local health services, far more child-care centers, tougher zoning controls, public transit, more low-cost housing. All candidates approve rent control, favor the new Affirmative Action program and, while all may not consider purchase of the Pacific Gas and Electric Co.'s distribution lines likely to pay off in remuneration to city coffers, public ownership of utilities is not a scare venture to any among Berkeley's current coterie of politicians. Both slates are exasperated by the rigidity of old government structures that protest "You

can't do that" when new services are proposed. All agree that police-community relations need improvement, though they differ sharply on the degree and emphasis. All favor a local income tax as being preferable to heavy property taxes. All recognize that more services will cost more money; all favor lightening the tax load for the poor.

They differ in pace and in method. The Berkeley Four urge orderly steps toward new programs, not precipitous crash drives. They promise cooperative government, a tolerance for other ideas, frequent reference back to the voters on critical issues. They say council members cannot be their own experts on water systems, traffic, parks, public health, etc.; trained city staff is needed. "The Coalition members act like Renaissance Man, knowing all on every subject," expostulates Henry Ramsey. And a slate colleague said, "You'd think God touched their shoulder. They tolerate no view but their own." Said Ramsey: "Spurning specialists in city problems, not trusting committees to act, the council has taken upon itself to respond to all the petitions that well up from the community, without staff evaluation, without priorities, without any of the normal structure toward realistic resolution of problems. The result is endless debate, endless confrontation. They are involved in making process, not using it."

The radicals put great emphasis upon their accountability, on "coalition" sentiment. "We believe in continually exchanging views, in explaining our position and being accountable in an ongoing way," says Ilona Hancock. "We have an open system." Decisions, it seems, funnel upward, but it is not always clear whether they emanate from the amorphous assortment of citizens occasionally drawn to large meetings, or from a backroom clique of "volunteer" advisers. Some claim "Loni" is the captive of her group, needing often to refer back to them for advice on how to vote or sometimes reversing public positions when it would seem she misread the signals, though she hotly denies any infringement on her independence. "Who is the April Coalition, from week to week?" wondered one member of the Berkeley Four. "The implication of their so-called discipline is very troublesome. They are not all that open."

"The difference between our liberals and their liberals," protested Coalition spokesman Peter Franck, "is that our liberals mean what they say. We are sincerely committed to implementing program. Two weeks after election, we will have eight new programs going. There will be real change in the services people get."

Such speed is not the path to permanent change, as the Berkeley Four see it. "Those fellows want to change the world overnight," says Kallgren. "They have a communal approach, not a democratic approach. They don't believe in representative government. They are fashioning a model of their own. They are motivated by unspecified economic objectives which they make clear are intended to benefit one segment of the community, not the whole city. I'm optimistic about Berkeley, but it's for the long run."

Though the bulk of visible Berkeley seems committed to the moderate-liberals (conservative backing is an embarrassment to the liberal posture they need to attract

the young), the radicals have made inroads among substantial old-line Democrats. For instance, U.C. city planning Prof. T. J. Kent, Jr., who has had experience on the Berkeley city council, says, "There is need for totally new leadership in this community. I am impressed that these young people have sustained interest in the practical working of local government over several years. I would like to see them get a chance to put their enthusiasm and their views into practice. Besides, the experience of governing is very sobering."

It is a very close race. Probably the outcome lies in

the black vote and the student vote. The former is uncertain, due to the sharp factionalism. The latter, despite the vote of 18-year-olds, is also uncertain. The campus is no longer so strongly oriented to the world outside. Students this year are studying harder, are less responsive to causes, less blessed with family largesse. Therefore, they guard their time more jealously, engage less in politics. They seem, however, conspicuously dissatisfied with the equity with which governmental benefits are distributed. How they vote that dissatisfaction may be crucial. □

LABOR AND NATIONALISM

U.S. UNIONS IN CANADA

JOHN CRISPO

Mr. Crispo is dean of the Faculty of Management Studies, director of the Centre for Industrial Relations, and professor in the Department of Political Economy—all of the University of Toronto.

Toronto

From time to time, Canadian nationalism is bound to bubble to the surface in the context of international unionism. Historically, the controversy has ranged in Canada from early management-inspired hostility toward supposed foreign union agitators to more recent and distorted allegations by fractious Canadian national union groups that international unions profiteer at the expense of workers in this country. Currently, more sophisticated observers of the scene are showing legitimate concern over the conflicting authorities and loyalties to which Canadian branches of international unions are sometimes subject.

The challenge in dealing with the many issues that arise from the presence of international unions in Canada—they might better be termed bi-national or simply American unions—is that it has become a very emotion-laden subject with the rise of nationalist fervor in some quarters in Canada. I hold no doctrinaire brief either for or against international unions, but hold that, within appropriate bargaining units, Canadian workers themselves should collectively decide on the unions of their choice, be they national, international or anything else.

One can point to a variety of reasons why international unions entered Canada and why Canadian workers chose to join them. The basic motivation for the internationals to move north can be found in the common continental heritage of the two countries, the similarity of historical forces shaping their destinies, the virtual absence of a border for many decades, and the prevalence for many years of what was truly a journeyman's status in many trades. Later, such factors as the rise of American subsidiaries in Canada and the increasing penetration of American markets by Canadian-produced goods added to the incentives for international unions to take an active part in the Canadian labor movement. Although inter-

national unions were never a discernible part of American manifest destiny, they obviously did not enter, and do not choose to remain, in Canada solely for idealistic reasons. There are, as indicated, such practical considerations as the protection of their flanks in the United States from substandard wage competition, as well as the greater size and strength many of these unions enjoy as a result of their Canadian membership.

Canadian workers originally joined, and remain members of, international unions for reasons that are also mixed. In the early days there were such factors as the lack of any viable alternatives, the appeal of an established base, more ready access to American jobs, particularly during the winter, and the attraction of union-run benefit plans. Later, everything from the CIO mystique, through increasing U.S. ownership of Canadian industry, to the greater bargaining expertise and power of international unions came to the fore as arguments for Canadian workers to join and remain in the internationals.

Today, some second thoughts have arisen on both sides of the border. One or two international unions have withdrawn from Canada, and a few others would probably like to do so were it not for the investment they have made and the attitudes of other international unions that still see many advantages to remaining in Canada. Similarly, though there is some disenchantment among the Canadian members, most tend to remain in international unions from a mixture of loyalty, contentment and apathy, and because making any change would be difficult.

The current position of international unions in Canada is impressive, even though somewhat reduced from what it was two or three decades ago. Although Canadian members of international unions represent only 7 or 8 per cent of these unions' total membership, they account for more than 60 per cent of Canada's organized work force. Moreover, eight of the ten largest unions in Canada are international, and they are in a predominant position in most primary and secondary industries. National unions, such as the Canadian Union of Public Employees and the Public Service Alliance of Canada, are strongest

in the public and quasi-public sectors of the economy. In addition, the Confederation of National Trade Unions, which is almost exclusively a Quebec-based federation, continues to enjoy considerable support in the private as well as the public sector of the economy, even though it has suffered from breakaways and internal dissension because of its key role in the abortive and futile confrontation with the Quebec government during 1972.

One of the challenges confronting international unions in Canada today is the possibility that the few breakaways that have occurred, especially on the West Coast, could set in motion a general swing away from such unions. Although the United Papermakers and Paperworkers International Union and the United Steelworkers have lost a few thousand workers to secessionist groups on the West Coast, and other unions have suffered less significant losses elsewhere in the country, none of these breakaways suggests anything approaching a general rejection of international unionism. Indeed, in all of the cases one can point to, there is usually some special circumstance, such as an isolated locality that has been poorly serviced. However, nationalism is at such a pitch in Canada today that the international unions must consider whether a few well-publicized dissatisfactions could set the stage for a more general breakaway. It seems unlikely, as long as Canadian workers continue to look to their unions primarily for economic gains, and international unions continue to meet their members' expectations as well as any alternative union might hope to do.

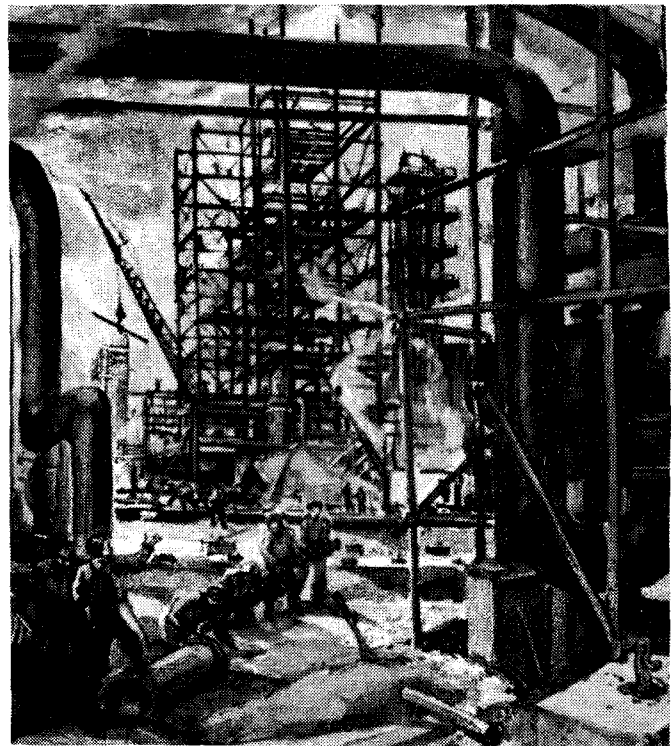
Few observers would deny that international unions insured the faster growth of a larger and more powerful labor movement in Canada than would otherwise have developed. Nor would many quarrel with the notion that international unions continue to add to the resources that workers can draw upon when confronting major employers—particularly when they are subsidiaries of large American corporations. To cite an extreme case, it is hard to imagine a purely Canadian union taking on the Big Three in the automobile industry as effectively as can the United Automobile Workers.

However, some obvious disadvantages stem from the presence of international unions in Canada. Thus, on balance, international unions have over the years tended to inject more disunity than unity into the Canadian labor movement and prevented it from developing a more logical and rational structure, at least to the extent of reducing the number and corresponding fragmentation of unions that now plagues the movement in Canada. Another disadvantage, at least from some points of view, is the tendency of international unions to make the Canadian labor movement more conservative in its general philosophy and political posture than it would otherwise have been.

Finally, there is the contentious matter of the flow of funds and benefits back and forth across the border. Here the basic problem is lack of definitive information, the more discouraging because the Canadian federal government continues to publish a most misleading document released under the authority of the Corporations and Labour Unions Returns Act. This publication suggests a sizable outflow of funds from the Canadian branches

of international unions to their U.S. headquarters, even though, by its own admission, it does not take account of a number of expenditures by international unions in Canada that would go a long way to eliminate the purported imbalance—if, in years of major strikes in Canada, it did not actually reverse it. What is obviously needed to clear the air in this regard is a thorough examination of all the financial ramifications of international unions operating in Canada.

One can examine the relationship between the Canadian and American labor movements at two levels: at the central federation level and at the level of the individual union. As for the first of these, the Canadian Labour Congress (CLC) has clearly become master of its own house and no longer, as was the case with its predecessors and in its own early days, submits to dictates from the AFL-CIO. Evidence of the CLC's inde-



Lamp

Oil Refinery, Montreal

pendence has accumulated in a number of areas over the past few years. Internally, it now decides for itself with which unions it will affiliate or disaffiliate, and referees disputes among its affiliates. Externally, the CLC has adopted a position far different from that of the AFL-CIO in both foreign affairs and in political action. Illustrative of the degree of independence that the CLC enjoys, sometimes to the annoyance and chagrin of the AFL-CIO, is the fact that the current president of the CLC is also president of the International Confederation of Free Trade Unions, an organization from which the AFL-CIO withdrew some time ago and now treats with considerable disdain.

At the individual union level, there are at least four and probably five steps which individual international

unions should take if they wish to provide their Canadian members with the degree of autonomy compatible with the spirit of nationalism that prevails in Canada. First, they should create separate and distinct Canadian offices or regions; second, the top Canadian officers of the international unions should be elected, directly or indirectly, by the Canadian membership; third, there should be a Canadian policy conference at which elected delegates of the Canadian membership should be free to take whatever steps they deem necessary in the Canadian setting, provided these do not breach the international union constitution; fourth, sufficient manpower and resources should be available to operate a viable Canadian operation; fifth, and perhaps most debatable, there should be separate accounting for the Canadian funds of the international union, and these should be used as the Canadian officers of the international unions see fit, again provided they are not spent in a manner inconsistent with the union constitution and that the international is reimbursed for services rendered in Canada.

All but the last of these conditions have been met in varying degrees by many of the larger industrial international unions in Canada, such as the Auto Workers and the Steelworkers, and the trend is in the same direction in the Brotherhood of Railway, Airline and Steamship Clerks, the Oil, Chemical and Atomic Workers Union, the Printing Pressmen, and the Retail Clerks International Association, to name only a few. Even among the building trades unions there are increasing signs of a willingness to grant more autonomy to their Canadian sections in areas other than collective bargaining, where, true to the traditions of most building trades unions, locals already enjoy almost complete independence.

An exception to the general movement in the direction of greater Canadian autonomy within international unions is suggested by the recent resignation of the Canadian director of the Teamsters, who relinquished his office on the ground that the international union was unwilling to provide sufficient money and staff to sustain an effective national office in Canada. The media seized upon this case in a manner giving the impression that it signaled a trend, when in fact it appears to be a marked exception.

There are two fundamental ways in which the leadership and policies of the AFL-CIO have tended to abet those who want to undermine the position of international unions in Canada. The first of these is the leadership and style of George Meany, president of the AFL-CIO, and the second is the growing protectionism of the AFL-CIO itself as reflected by its attitude toward the foreign operations of American-owned multinational corporations, and toward foreign trade with Canada as well as other countries.

On the first score, it is understandable and well known that personality clashes have at times aggravated relations between the Canadian and American labor movements. Beyond personalities, however, Mr. Meany's political posture is not one that endears him to union leaders, let alone active union members in Canada. Meany is seen as the chief labor spokesman for conservative, bourgeois, blue-collar, middle-class, white suburbia, which puts him far to the Right of what the Can-

adian labor movement would consider an appropriate trade union position. Canadian labor leaders have for the most part traditionally prided themselves on being more idealistic, liberal and reform-minded than many of their American counterparts; they now find the gap widening, at least with respect to Mr. Meany, to a degree that they find hard to countenance.

Worse still, from the point of view of preserving a good working relationship between the Canadian and American labor movements, are the growing signs of protectionism, if not isolationism, emanating from the AFL-CIO. Although the CLC may well exaggerate the degree of protection favored by the AFL-CIO, and its potential effect on Canadian exports to the United States, there are undoubtedly grounds for concern. The joint effect of the Domestic International Sales Corporation Act and the import quotas of the proposed Hartke-Burke bill, especially if combined with significant changes in the Canadian-United States Automobile Trades Agreement, could have quite disruptive effects on Canadian production and trade.

At the same time that the AFL-CIO has been pursuing its own protectionist interests—even officially ignoring suggestions for a Canadian exemption, if only with respect to the proposed Hartke-Burke bill—individual international unions have been adopting a different position on just that point. Among the more noteworthy instances where their Canadian sections have prevailed upon the internationals to call for a special Canadian exemption are the Machinists and the Steelworkers. Even more significant was the similar exemption called for by the Industrial Union Department of the AFL-CIO in its representations to the Nixon Administration and Congress. Also of some considerable comfort to Canadian auto workers has been the position of the UAW international, which has not appeared to push hard for amendments to the auto pact. Mind you, the whole question of Canadian exemptions, at least from the proposed Hartke-Burke bill, may be academic, since any such exemption would probably be contrary to the General Agreement on Tariffs and Trade.

Despite what I would argue has been, on balance, a very positive relationship for all concerned, there are forces at work in both countries that could undermine the position of the international unions in Canada. On the one hand, there is in Canada a spirit of nationalism that at times becomes so anti-American and negative as to rule out any objective assessment of links between the two countries. On the other hand, the drive of some major elements in the American labor movement for greater protection, even at the risk of jeopardizing their relations with the Canadian movement, further aggravates the difficulties that could ensue.

The irony of it is that, just as the Western world in general appears to be growing increasingly international, especially in terms of corporate, trade union and collective bargaining arrangements, Canada and the United States could be in the process of drawing apart in some of these same areas. It would be more appropriate if the labor movements of the two countries, and particularly the international unions, were to work more effectively toward establishing the kind of interrelation-

ship that could serve as a precedent in other more truly international unions which are bound to emerge, especially in the European Common Market. Fortunately, there is hope for such a development, at least among some of the leading industrial unions that straddle the

Canadian-American border. Unless Canadian workers prove more easily misled by the self-serving and shrill Canadian union nationalists than I now anticipate, this trend toward a more effective international unionism between the two countries will continue. □

JUDICIAL ACTIVISM

THE COURTS AND SOCIAL POLICY

LEONARD M. FRIEDMAN

Justice Friedman, a member of the California bar for thirty-five years, served on California trial courts from 1959 to 1962, and has since then been an associate justice of the California Court of Appeal.

Sacramento

A practical concept guided the Constitutional Convention of 1787—the concept of tension created by incessant competition among separate centers of power. The principle of checks and balances, it proposed, would curb despotic tendencies and save the nation from tyranny.

Since then, constant fluidity has characterized the legislative, executive and judicial power zones. Power has ebbed and flowed with the magnitude if not the regularity of the tide. A strong President would seize the reins of leadership from a lethargic or balky Congress. Vigorous Congressional leadership could overwhelm a vacillating administration. The United States Supreme Court might at times content itself with a mere veto power, at other times point the nation in new directions. A Supreme Court might rebuff Presidential aims, then suffer vacancies and become subject to the President's power of appointment.

In assessing the forces which shape and bend social and political institutions, we tend to exaggerate the synthetic and volitional factors. The Tolstoyan view of history warns against that sort of distortion. The seemingly deliberate, ostensibly reasoned decisions of leading personalities conceal historic impulses to which these decisions respond and cloak underlying intuitive influences. Rejected by one or another of our political institutions, power is absorbed by another. Pressures created by the conflicting currents of social change seek those institutions which will give them expression.

Our nation today suffers social, economic, politico-military, ecological and moral crises; we undergo cultural upheaval. History warns us that a society is headed for disaster when its political institutions do not respond to such problems. A long-continued failure to produce and implement policies adequate to a nation's needs is bound to have disintegrative effects. Polarization sets in.

A dispassionate observer of recent and current legislative performance can feel only dismay and foreboding. The national Congress and most state legislatures are in miserable condition—manipulated by lobbyists, hamstrung by archaic rules, and debilitated by internal arrangements which invest autocratically governed com-

mittees with virtual veto powers. Promising men get elected, fight the good fight for a few years, then succumb to the inertia of the system. The legislative branch enfeebles itself by keeping its members in bondage to the campaign dollar. Campaign contributions have displaced bribery as a corruptive device.

In relation to the array of national needs, the programs produced by the legislative branch are woefully few and pitifully inadequate. The list of unmet needs is enormous. In short, the legislative branch is unable and unwilling to exercise power.

The executive branch exhibits a curious mixture of affirmation and negation. In foreign and military affairs it seizes control, some think to an unconstitutional degree. At the same time, disdaining any systematic set of priorities, it proclaims programs of domestic amelioration, then drops them for new and highly publicized ventures. It heaps one unfinished task upon another. Like the dancing northern lights, executive leadership flashes intermittently, soaring and falling in different parts of the political sky. Both Democratic and Republican administrations have indulged in gaudy displays of leadership without meaningful content.

The judicial branch too exhibits a mixture of disrepair and vigor. The productive capacities of the courts have fallen far behind public need. Processes of adjudication are terribly slow, terribly cumbersome and terribly expensive. The judges are not free from fault; their sense of urgency awakened far too late. American court systems need major repairs, new procedures, new auxiliaries of mediation and adjudication, fresh infusions of manpower and money.

In another respect the American judicial system demonstrates strength and responsiveness, a prideful assumption of responsibility in the administration of adaptable constitutionalism. Tradition sees the courts as nonpolitical bodies rendering nonpolitical decisions. This view was held by the framers of the Constitution. As Judge Learned Hand observed, the text of the Constitution gave "no ground for inferring that the decisions of the Supreme Court . . . were to be authoritative upon the Executive and the Legislature."

The vigorous ingenuity of Chief Justice John Marshall uncovered constitutional implications not visible to literal minds. The year 1803 witnessed a constitutional development of immense significance to the nation's internal history—the decision in *Marbury v. Madison*. At one stroke, Marshall's genius established the principle of judicial su-

premac, the power of the courts to invalidate laws enacted by the federal Congress and, *a fortiori*, by the state legislatures.

I need not describe the accretion of judicial power since John Marshall's climactic decision. Today the federal Supreme Court is a prime and active maker of national policy. Prof. Adolph Berle has stated flatly: "Ultimate legislative power in the United States has come to rest in the Supreme Court of the United States."

In the routine business of administering the criminal laws and deciding civil litigation, courts are essentially nonpolitical institutions, their task being to apply the law, not create it. But some pieces of litigation involve courts in decisions freighted with degrees of political choice and requiring some selection between opposing social policies. Competing social interests often characterize disputes between government and individuals. Complex networks of regulatory legislation and interlocking systems for the distribution of public services and payments produce courtroom confrontations between collective demands and individual rights. The judicial function inevitably involves courts in choices between conflicting policy claims.

The more elevated the court in the judicial hierarchy, the greater the proportion of policy-making decisions it will face. The profundity of its policy inquiries varies with the character and perceptiveness, the normative judgments and role conceptions of its judges. Some active and able appellate courts have forced wide swings of public policy. At the apex of the dual federal-state court structure is the Supreme Court of the United States, so heavily involved in policy choices that it has become a political institution that only occasionally resembles a conventional court of law.

Persons unable or unwilling to think historically view the Supreme Court's policy judgments as assertions of judicial willfulness or arrogance. In comment and conversation we label judges conservative or liberal. More knowledgeable critics debate opposing concepts of the Supreme Court's constitutional role, an opposition expressed by the terms judicial restraint and judicial activism.

Justice Felix Frankfurter was the most articulate exponent of judicial restraint, a position now in eclipse, if only temporarily. Although well supported by history, Frankfurter's view was too refined, too passive to cope with the swift currents stirred up by a nation tossing in the grip of change. Only a dominating voice will be heard above the storm. Nor did Frankfurter reckon with the dereliction of the legislative branch, its self-imposed inability to measure up to the nation's need for policy and program.

The eclipse of judicial restraint had been augured decades earlier. Roscoe Pound, Benjamin Cardozo, Oliver Wendell Holmes, Jr. had found active elements in the law that transcended its character as an abstract structure of neutral pronouncements. Holmes had declared that considerations of public policy are "the secret root from which the law draws all the juices of life." Pound uncovered the claims of sociology upon the judicial process, emphasizing the creative interactions of law and social policy. Cardozo published his seminal lectures, *The Na-*

ture of the Judicial Process, teaching that legal precedents often fail; that beyond precedent other forces—the likes and dislikes, the complex of instincts and emotions, habits and convictions—make the man, be he litigant, lawyer or judge; that ethical considerations can no more be excluded from judicial decisions than oxygen from the air we breathe.

In constitutional judgments no less than in the decision of private disputes, the bare words of the law must be infused and warmed by recognition of purpose and result. The federal Constitution is a structure of law implicit with values: moral values, civic values, social values. It takes sides—usually the side of the individual, guarding his security, his dignity, his claims to equal and fair treatment, against the ponderous demands of the collective state. There is nothing neutral in the assertion of freedom of the press, in the guarantee against self-incrimination, in the guarantees of due process of law and equal protection of the laws. What is needed is not neutrality but principled response; not expediency but allegiance to fundamental purpose as applied to new conditions; not rigidity but adaptable firmness.

The Warren Court has been praised and blamed as an exponent of judicial activism. In major part its products were obligatory responses to the demands of the Constitution as applied to social conditions thrown into crisis by the ineffectiveness of other political institutions.

A dangerous misconception which pervades many levels of American Government is that only the courts need observe and enforce the Constitution. The demands of the Constitution are more than binding prohibitions; they are mandates for affirmative implementation. For decades the national Congress blinded itself to the gerrymandering activities of state legislatures. For decades the Southern states supplied inferior schools for black children, and Northern states barred blacks from white neighborhoods. For decades police departments resorted to the third degree as a standard investigative technique and invaded private premises for evidence of crime. While these denials of equal protection and due process created rotten areas in the nation's life, the executive and legislative branches gave scant heed and displayed slight concern. Power and function and responsibility had to find other institutional outlets. The courts alone salvaged American constitutional principles from studied neglect. A few examples will suffice:

The reapportionment decisions of the federal Supreme Court represent a massive judicial intrusion into the formation of Congressional and legislative districts. Historically, this activity had been grossly mismanaged by state legislatures, aided and abetted by Congressional apathy and self-interest. The Supreme Court broke the legislative grip through a vigorous reading of judicial obligations to enforce the equal protection clause of the Fourteenth Amendment. Voting strength would now follow the population shift from countryside to the cities.

The "one man one vote" criterion of strict numerical equality among electoral districts may not represent the best that political science can offer. Its ideal of equal representation has been soiled and frustrated by legislative cynicism, which preserves the sway of concealed cam-



paign money and draws district lines for personal instead of public advantage. Nevertheless, the reapportionment decision established a continuum of judicial power over an important segment of public policy.

The school segregation and school bussing cases exemplify the constitutional judgments which enmesh courts in fundamental societal rearrangements and goad legislative and executive agencies into long-neglected action. The federal Supreme Court has invalidated state laws imposing one year's residence as a prerequisite to welfare eligibility. Other public welfare decisions demand notice and an opportunity for hearing before the termination or reduction of welfare benefits. These judicial decisions became prods, forcing widespread legislative and executive rearrangements in the administration of essential public services.

Recently the California Supreme Court invalidated an entire system of interlocking school financing arrangements created over a period of decades. Property taxation provided the primary source of school revenue. Wide variations in the assessed value of school districts caused wide disparities in the outlay per child. According to the California court, this state-imposed disparity in educational quality was based on the relative wealth of school districts, a discriminatory classification which deprived schoolchildren of the Fourteenth Amendment's guarantee of equal protection. As in the school segregation cases, a court here fashioned a prod, designed to push the legislative branch into remedial action before the courts took command by judicial decree. Most observers believe this decision has nationwide social and historic significance.

The policy emanations of the courts are not confined to constitutional and governmental issues. They extend to business practices and commercial relationships. A number of state Supreme Courts have adopted the principle which holds manufacturers strictly liable for their defective products, relieving the injured consumer of the burden of proving negligence in the operation of some distant factory. Other decisions impose a quasi-public status upon service organizations such as banks and insurance companies, preventing them from using contractual fine print as a way to escape the reasonable expectations of their customers. Decisions like these are worth volumes of consumer legislation.

Such decisions share several notable characteristics. Although some of them inject the courts into the uncomfortable and unsuitable business of controlling the ongoing operations of public agencies by judicial decree,

they stand firmly upon constitutional and legal principles. Secondly, they emphasize the nation's essential unity. Legislative malapportionments in Georgia and Illinois beget standards for legislative redistricting in Massachusetts and Montana. An illegal police raid in Ohio engenders a rule affecting criminal prosecutions in New York and New Mexico. A California consumer may hold a New Jersey manufacturer responsible for producing a dangerously defective product. We have gone *e pluribus unum* with a vengeance.

Finally, one asks whether this gravitation of policy making toward the judiciary is good for the nation. In terms of immediate need, it has conferred immense benefits; as a long-continued, indefinitely tolerated phenomenon, it has serious drawbacks. Courts are essentially oligarchic, lacking the representative character and responsiveness which legislative bodies should possess. Courts respond to the limited demands of litigation; they cannot sally forth with comprehensive solutions. They lack the data-gathering facilities to achieve predictably sound results. Their wisdom is intuitive, not empirical. Their power depends upon public acceptance. Perennial judicial policy making arouses a dialectical progression; it eats away the expectations of neutrality that form the principal source of the courts' moral support; long-continued judicial authoritarianism will ultimately destroy itself.

The nation sorely needs a renaissance of executive and legislative leadership. It is high time that the legislative branch resume its constitutional role as the prime source of social policy. The unrestrained use of hidden money in the electoral process is at the core of the nation's political infirmities. The legislative branch cannot attain moral and political health until it eliminates the poison of concealed campaign money. As long as the legislative branch defers its redemption, as long as the executive fails in its obligation of sustained leadership, the production of policy will fall short of the nation's needs. The continued dearth of adequate policies and programs will bring increasingly acute crises before the bar of justice, arousing the moral and social values embedded in constitutional and decisional principles. The judiciary will be able to relinquish its policy obligations only when the legislative and executive branches measure up to their own constitutional responsibilities as the creators and administrators of social policy adequate to the nation's needs. □

BOOKS & THE ARTS

Talking of Ultimate Mysteries

HUMAN DESTRUCTIVENESS. By Anthony Storr. Basic Books. 127 pp. \$5.95.

THE DYNAMICS OF CREATION. By Anthony Storr. Atheneum Publishers. 256 pp. \$7.95.

WALTER ARNOLD

Mr. Arnold is an editor in a book publishing firm in New York. His reviews and articles have appeared in *Commonweal* and *The New York Times*.

Unfortunately, human destructiveness and creation seem to go together. Where you have conspicuous examples of one, you usually have at least the clear potentiality for the other. The gamut of torture techniques, for example, shows a fiendish ingenuity. If the imagination employed in the invention of these techniques could have been directed to medical or civil engineering, we would quite possibly have had more "modern conveniences" sooner. Conversely, every serious artist or scientist has to "attack" his subject to get it to yield new forms or truth. One has the impression that the very greatest artists, such as Dostoevsky, could have exceeded the greatest criminals in spectacular mayhem had they applied their spirits to the effort. As it is, the lives of obviously creative people, in contrast to their work, are often pitifully destructive, so much so that the myth has grown up that this destructiveness is "the price" of creativity, in the arts at least. But the humane and even urgent question, particularly in the Western world at present, is how can we minimize human destructiveness and enhance creation? Dr. Storr's two fine new books were not written to give practical answers to this question, but they should be very helpful in getting arguments off dead center and pointing the way to solutions.

Anthony Storr is clearly one of those large-minded psychotherapist-authors who seem almost to abound in the British tradition as opposed to ours, for reasons Paul Roazen suggested in a recent issue of this journal. Now in his early 50s, Dr. Storr divides his time between private practice and writing. Like all analysts, he owes his greatest debt to Freud, but unlike too many he takes from the master only what he finds borne out in his experience as an analyst and remains skeptical of the rest.

(He quotes Jung with approval: "After all, the penis is only a phallic symbol.") Not surprisingly, Dr. Storr finds a great deal to admire in Jung, particularly under the head of creativity, but he is too principled an eclectic to be called a Jungian. He is highly literate, indeed literary, and is especially learned in music and the history of science. There is a certain amount of pedantry (but the late Abraham Maslow is not "now at Brandeis" and was associated with Esalen just before he died) and a running trace of psychiatric jargon in his prose, but for the most part Dr. Storr is an admirably lucid and engaging writer.

"Psychotherapists are much too apt to extrapolate from their study of a few neurotic individuals, to reduce the complex to the over-simple, and to assume that the forces which account for the behaviour of nations are the same as those which drive their patients," Dr. Storr remarks. So there is nothing simple-minded about *Human Destructiveness*, despite the fact that it is only a monograph. It is one in an interesting series of studies in collective psychopathology, the purpose of which is to investigate how the impulse to persecute or exterminate is generated, how it spreads, and under what conditions it is likely to express itself in action. Accordingly, since Dr. Storr's chief interest and experience is with individuals, he takes his own warning and works very carefully by analogy to the collective expression of violence and destructive aggression.

The main argument in this little book is that "it is not the psychopaths nor the sadists whose emotional difficulties reveal most about 'normal' hostility, but those persons whom we label paranoid." Paranoid projection, he thinks—and he is frank about the speculative nature of much of his analysis—accounts for the peculiar willingness of human enemies to go beyond defeating one another and indulge in cruel and murderous behavior. "For enemies, whatever their real character, easily become the carriers of paranoid projections and are thus transformed from being merely human opponents into malignant, powerful persecutors." Dr. Storr suggests that the ground for much of this paranoia is in the nearly universal human experience of infant helplessness, stress and frustration carried down to adulthood.

Therefore he recommends the fullest support for research into the relation of adult behavior to methods of infant rearing.

Obviously there are plenty of questions left unanswered after a reading of *Human Destructiveness*. (To be fair, Dr. Storr's earlier book, *Human Aggression*, treats the larger subject, of which destructive aggression is just a part, much more fully.) Why, since the impelling experiences of helplessness and frustration are so general, is there not a Hobbesian "war of all against all"? And as to the author's observation about malignant and powerful persecutors, it is just as common to find enemies depicted as subhuman, beneath pity or contempt, "Jerry's," "Japs," or "Gooks," in order to justify "wasting" them mechanically. That doesn't sound exactly like paranoia but more like motiveless malignity, which ringing phrase, to the extent that it rings true, suggests a dimension of human destructiveness that goes clean beyond the reach of psychiatry. Without wishing to be an obscurantist, I must say here that the evil of destructiveness in history seems quite disproportionate to any psychological causes that can be determined or argued. There is a "mystery of iniquity" that no amount of problem solving will ever dispel.

No less is there a mystery of creativity which no amount of plumbing the depths of the mind will exhaust. But if *Human Destructiveness* is just too brief to do more than hint at fruitful lines of inquiry, *The Dynamics of Creation* aims at being a major reassessment of its subject from a psychoanalytic and clinical point of view. Although less ambitious than Arthur Koestler's interesting but burdensome treatise on the act of creation some years ago, Dr. Storr's book is equally valuable in a number of ways. It is surely the best thing along its specific lines since Lawrence Kubie's *The Neurotic Distortion of the Creative Process*, which was much more limited in scope.

For anyone who loves art and literature and still admires Freud, reading Freud on artists or creative works is often a depressing experience. As Dr. Storr says, "one of Freud's most notable characteristics as a thinker was his invariable practice of reducing everything to the lowest common denominator,"

whether of sex or aggression. The so-called higher human interests are taken to be explained by reference to the "lower" human instincts, and present or future realizations of character or creative action are to be understood solely in the light of past psychodynamics. With this kind of obsessive-compulsive mind-set (as it has always seemed to me), genuine novelty in personality or art is simply not to be acknowledged. But, as Dr. Storr recognizes, creativity has been defined as "the ability to bring something new into existence." At least Freud was ambivalent about art and analysis' ability to comprehend it; but in general Freudianism is an inadequate guide to the meaning, motives and power of creativity. Dr. Storr's book was undertaken partly to correct the deficiency of the Freudian perspective and speak for art and other forms of creation in a psychologically informed way. That it does not in fact succeed is the more regrettable accordingly.

The author is primarily interested in the motives of creation, as far as these can be discerned in what creative people say or analysis of such people and their work can discover. Looked at in this way, there is no question for Dr. Storr that at least certain kinds of creation represent certain kinds of wish fulfillment. Indeed, a quick survey of the actual rewards of art for most artists would put wish fulfillment ahead of Freud's other famous motives, "money, fame, power and the love of women." (Nothing about the love of men, but what did you expect from Freud?) Also Dr. Storr would agree that creativity can act as a kind of defense against neuroses or the disintegration of the personality, and his chapters on creativity and the "schizoid character," the "manic-depressive temperament," and the "obsessional character" are masterly in their clarity, detail and wealth of clinical references.

But none of this is enough. "Although some creative people may be impelled by neurosis or incipient psychosis to engage in their particular pursuit, not all appear to be thus driven," the author observes. "Perhaps creativity is more closely bound up with what might be called a 'dynamic of the normal' than with psychopathology." True to his own suggestion, roughly the second half of Dr. Storr's book is devoted to developing as his own contribution this "normal pathology" of human creativity, starting with the phenomena of play and ritual in man and closely related primates.

Admittedly speculative, the author's view is that art is species adaptive, that the "divine discontent" and "disposable

passion" of creativity were and are necessary to the growth and stimulation of the brain, the construction of man's inner world of meaning, and the integrity of personal life. "Creativity may be a way of coping with psychopathology, but it is not neurosis or psychosis. Indeed it is their opposite; and there is good reason to believe that mental illness interferes with creativity." A lot of romantic nonsense would be dissolved if that point were taken to heart.

Aside from the still necessary task of questioning the whole psycho-

analytic enterprise applied to creativity as at least the "mixture of two mythologies," there are other quarrels one might have with Dr. Storr's undertaking. For one thing, the range of "creation" implied in the title is measurably greater than the realms of high art and science from which he takes most of his examples. Although he seems to recognize that creativity is on a continuum and is within the experience of virtually everyone, his usual reliance on extraordinary and "elite" instances reduces the effectiveness of his argument. (Dr. Storr might have

NATURALLY

*Naturally those painters,
famous and unknown, in their affection
and good sense, were happy to provide
for everything; else how could that flight
not only have happened but inspired faith?*

*So here is this landscape
sent by a friend in an old folks home,
still fresh from complicated hallucinations
but cheerful about them: "I'm O.K. right now,
all over my tantrums (some of them),*

*full of benevolence, chicken
soup, peanut butter & raspberry jam . . .
what is happening to my figure, straight
back, front, & all 90 pounds, don't ask.
Next week I'm going on a diet—NO FOOD."*

*A landscape on a postcard
("Isn't there a birthday coming up?")
by some anonymous craftsman, Flemish,
early XVI century, detail from a painting
"The Rest on the Flight into Egypt,"*

*showing Joseph picking fruit.
The little donkey is in sight, as busy
in the grass as Joseph at the bosomy tree.
But the mother and child, where are they?
Taking a nap or catching some shade*

*perhaps in that stand of pines
or simply gazing at the peaceful scene.
Two swans, summed up in elegant S's,
punctuate the sky-heaped pond, and a man
and woman are walking down the path,*

*the woman with a large jar
balanced on her head, the man carrying
a basket in one hand and possibly a flail
in the other. Are they about to feed
the holy pair? Whatever their assignment,*

*it is clear the painter
saw the need to supply the family
with a decent lull, some rest and food,
and a rich, refreshing scene, good enough
to suggest the Garden, before the Trial began.*

Theodore Weiss

made good use of John Dewey's *Art as Experience*.) Also, the relative absence of even extraordinary women creators from the discussion in this book is deplorable. A constricting male bias runs through the book. But the most serious matter is my impression that Dr. Storr has substituted his own kind of determinism in creativity for Freud's. In his zeal to confirm "the necessity of art," he has detracted from the essential

freedom of art. Ethological dynamisms are not adequate as explanations of the development of play and art, if only because these phenomena are not predictable. But for now it is enough to say that any reader interested in the subject of this book has reason to be grateful to Dr. Storr—despite the limitations of his discussion—for advancing the argument as far as he has in *The Dynamics of Creation*. □

Scum at the Top

HOUSE OF ALL NATIONS. By Christina Stead. Holt, Rinehart and Winston. 787 pp. \$10.

CHARLES LAM MARKMANN

Mr. Markmann, a frequent contributor, is a journalist, critic, novelist and translator. His latest book is *The Buckleys* which is being published this year by William Morrow & Co.

It is always a gamble, no doubt, for a publisher to reissue a novel that is thirty-five years old, and particularly in a time when so many full-grown adults who ought to know better are pretending that the *Creation* was completed this morning. It is even more of a gamble to publish a novel that offers not a single titillation either for the outriders of relevance or for the foot-sloggers of the so-called Sexual Revolution.

One can only be delighted that Holt, Rinehart and Winston has recognized the market that does, after all, exist for grown-up novels. Christina Stead is 70 now, and still writing novels: her bibliography is not long but it commands respect. Her first fiction, *The Salzburg Tales*, appeared in 1934—*House of All Nations* is her fourth—and she is currently working in London on her twelfth, *I'm Dying Laughing*.

The *House of All Nations* was an almost legendary bordello of high degree that flourished for years in Paris and was a byword everywhere, even to middle-class adolescents in Penn's Woods. It is hardly likely that Miss Stead's choice of its firm name and style as the title for her story of a private international bank in between-the-wars Paris is fortuitous. Her knowledge of the world of high-level banking and brokerage is first-hand. She has worked in it, married in it, and moved in it. And in the world of humane letters too; her husband was also a novelist under the name of William Blake (he died in 1968).

But hers is only partly a *roman à*

thèse. It is, rather, a novel about men in action (curiously, few women characters are prominent in this very populous book or in one's recollection of it, and almost all those few are utterly detestable). The action takes place in the ambience of certain familiar facts of life: the social and economic system of the West in the 20th century is ruthless, cruel, egotistical in the extreme, replete with delights of every kind, essentially vulgar, often refined (though *raffiniert* would be more accurate), unquestionably pleasurable to those on the way up and those arrived, studded with traps, almost invariably opportunistic, not wholly closed either of access or of egress . . . and the product of persons. Very often those who make and reinforce that system become its hardly unwilling victims—but no society is other than man-made, a fact too often and too conveniently put aside when it incommodes a dogma or a vision.

By the time in which this novel is laid—the mercurial early 1930s, when bust and boom were almost indistinguishable at certain levels—the whole of Western society had become the kind of melting pot that the United States always represented to my father, an immigrant boy from Kamenietz-Podolsk, who spoke not as the Scribes and Pharisees but as one having Right-minded authority: "It is called the melting pot," he liked to observe, "because the scum always rises to the top."

The Bertillon brothers, Jules and William, own the Banque Bertillon, an institution as exclusive as, say, River House in New York, and by the same criteria. Its clients are multiple-passported financial and commodity hijackers, South American wastrels, retired Anglo-Saxon colonial freebooters, newly rich North Americans, Russians who got out in time, French and Italian aristocrats, some of the great cross-continental whores—that whole "inter-

national Mafia of the rich," as Fereydoun Hoveyda called it ten years ago in another novel of Paris, *Les quarantaines*. The Banque Bertillon depends in large part on its customers' men, straining careerists of respectable middle- and lower-middle-class origins whose conduct is guided by the core of Jules Bertillon's philosophy (and who double-cross him every day):

"You must have decent people round you: a bank is a confidence trick. If you put up the right signs, the wizards of finance themselves will come in and ask you to take their money. Show a man a marble column or Etienne's soft brown eyes and he goes frantic and sheds money for you: the way he sheds blood for you if you wave a flag. . . . Did you ever think, Michel [Michel Alphendéry is his well-paid and well-liked right hand, an Alsatian Jew whom Jules knows to be a Communist], that even a pirate or a gangster puts his money in a bank? They stick up one bank and put the money in another. . . . Lord, what nitwits! All suckers, even me. . . . You'll never have a cent, Alphendéry: if you wouldn't sell your mother's womb for tripe, you won't make money."

The other side of that coin is provided by Alphendéry's junior and friend, Adam Constant, a poet and Communist often entrusted with confidential missions for the bank: "Financiers are great mythomaniacs, their explanations and superstitions are those of primitive men. The world is a jungle to them. They perceive acutely that they are at the dawn of economic history."

These young radical intellectuals are corrupted in the end by the environment that they cannot bring themselves to leave. But it is, so to speak, a far more honorable corruption and surrender than what one has observed, say, in the United States from the mid-Roosevelt period on. The Alphendérys and the Constants made no pretenses. They grew tired, they grew self-indulgent, they were cuckolded by events, and they made no bones about the immorality of their renunciations of principle. They were no pious proclaimers of what had been revealed to them in blinding light on a road to Washington. Nor did they have the gall to wrap themselves in a patchwork shawl of virtue and dedication.

And at least they could speak like educated men, and they did. So did their employers, and even many of their customers. There is no grunt-grunt in this book to pass for dialogue—there is conversation, most of it fascinating even when it is repellent.

Undoubtedly because of its natural

reticence—not once even faintly to be reproached with what D. H. Lawrence so rightly called “doing dirt on sex”—this is a richly sensual and exciting book, in the right places, such as we have not had the good luck to encounter since the great novelists of the 1920s and 1930s. True, it does not provide the reader with an aphrodisiac tickle, or save him the exertion of making love; but this may not be wholly to the bad.

House of All Nations, however, is not a book for those who have hit the sawdust trail of the new or anti-novel, or taken the sociologist's pledge. It is almost defiantly (today—not when it was written) a real novel in the traditional form, whose characters have names and personalities, and act at least as much as they talk and reflect. And it is utterly indifferent to technical innovation. This is not to say that the artist must eschew experiment; on the contrary. But Miss Stead has chosen not to experiment, a right at least as fundamental as that of thumbing one's nose at everything and everyone antecedent to oneself. In the hands of an artist the traditional novel is no more dead than the new novel is necessarily stillborn. Such pronouncements are for fools.

This is a long novel but never a wearying one. Some of its fascination, of course, lies in the accuracy of its prophecies (it was completed two years before the Germans crossed the Polish border), as in the timelessness of its analyses. The cynical rich burgher who forbids his family to display its wealth not because that might be tasteless but lest revolutionary passions be stimulated, and whose view of the future anticipates Burnham's vision of the managerial revolution, is made part of a superb diptych with his unspeakably

commonplace, house-proud wife; the scoundrels are as charming and as weak, as self-victimized as any with whom one has drunk away delightful evenings; the real villains are as mediocre as Hannah Arendt much later discovered the Eichmanns to be. (Again the artist anticipates the philosopher and the social scientist, as Freud never tired of reminding his colleagues and disciples, most of whom prefer to forget it.) And, as in life, there are no heroes, only men and women.

In this book, however, the author is nagged by a trait that one has not noticed in her work before. She tends here to give her characters label names, in the manner of Richard Brinsley Sheridan or S. J. Perelman; and, while occasionally these are funny (the brokerage partnership of Ganz & Genug), the device is essentially a cheap one. It is her only major lapse, but it is inordinately indulged. No doubt various anti-defamation leagues will not be pleased with some of her very diverse characters, but surely we have passed the day when all the members of any given group must be portrayed as paragons and none may be an unredeemed nogoodnick (except in life)? Or perhaps one is overoptimistic. In any event, Miss Stead is not concerned with shibboleths, and for this one must be grateful.

Granted that *House of All Nations* belongs to a genre that has become almost eligible for protection from extinction, and that it lacks the kind of excitement and gratification peculiar to a more highly intellectualized, a more abstract school of fiction. Granted too that it is not, and does not claim to be, a “great” novel—whatever that may be. One can only congratulate its publishers on having gambled on it, and wish them a splendid sale. □

I Have Done the State Some Service

SOLDIER. By Anthony B. Herbert, with James T. Wooten. Holt, Rinehart and Winston. 498 pp. \$10.95.

LEE EWING

Mr. Ewing is a former Army intelligence officer who served as a district senior adviser in Vietnam. He is now associate editor of *Family*, the magazine supplement to *Army Times*, *Navy Times*, and *Air Force Times*.

Soldier is either the engrossing true story of a courageous Army officer's battle to see justice done after he reported war

crimes at the cost of his career—or a hoax. Anthony Herbert is an Army lieutenant colonel (now retired) who made news two years ago with claims that the Army ruined his career because he reported war crimes in Vietnam and preferred charges against his superiors for failure to investigate his allegations properly.

Herbert relates here his version of the controversial story. As he tells it, he was a gung ho soldier who killed a lot of people in Korea, won a lot of medals, and was even touted by the

Important new books from Westminster

THE SINO-SOVIET TERRITORIAL DISPUTE



by TAI SUNG AN. A detailed, documented examination of the centuries-old border strife between Russia and China. "A timely book ... readable, well-organized ... The subject lies at the heart of present-day international affairs."—*Library Journal*. \$8.95

THE RECOVERY OF AMERICA



by JOHN CHARLES COOPER. The author of *The New Mentality* and other penetrating analyses of contemporary America now looks ahead to the challenges and opportunities we face now that the Vietnam nightmare is over. Paper \$3.25

GENERATIVE MAN: PSYCHOANALYTIC PERSPECTIVES



by DON S. BROWNING. A University of Chicago professor compares the views of man set forth by four leading interpreters of Freud — Philip Rieff, Norman Brown, Erich Fromm, and Erik Erikson — and finds Erikson's “generative man” the most satisfying concept of all. \$10.95. May



Now at your bookstore
THE WESTMINSTER PRESS
Witherspoon Bldg.,
Phila., Pa. 19107

Army as "the most decorated enlisted man in the Korean War." (The Army says no such distinction was accorded him.) After dropping out to get a degree in English and a commission, he resumed his military career. He shaped up ailing infantry units in peacetime Germany, taught survival and derring-do at the Ranger School, saw combat in the Dominican Republic and participated in intelligence missions in the Middle East and Southeast Asia. After lobbying for a combat tour in Vietnam, he was assigned there in 1969 as Inspector General of the 173rd Airborne Brigade. He dazzled the staff with his aggressive I.G. investigations, making many enemies in the process. When he finally was assigned to command an infantry battalion, an important rung on the career ladder, he used innovative and unorthodox (for the U.S. Army) guerrilla-style tactics, and his battalion led the brigade in kills and in an evaluation based on administrative efficiency and other noncombat criteria.

Then, on April 5, 1969, after only fifty-eight days in command, he was relieved by Maj. Gen. (then Brig. Gen.) John W. Barnes, the brigade commanding general.

Why would such a Hotspur be re-

“Of all the articles and books that have been published on apartheid in South Africa, none makes the true situation so grimly real for the outsider as Carlson's story of his 20-year attempt to win some measure of justice for black South Africans. His descriptions of what life is like for the defenseless 'Bantu' are unparalleled.”

—Publishers Weekly

“With the skill and discipline of the professional and the sensitivity of an artist he conveys the full stark terror of repression . . . his lesson is imperative to our survival.” —RAMSEY CLARK

“A fascinating book by one of the world's most distinguished, compassionate, and courageous lawyers. It should be read by everyone who wants to understand the importance of our constitutional liberties.”

—DEAN BURKE MARSHALL,
Yale Law School

Joel Carlson NO NEUTRAL GROUND

\$8.95



THOMAS Y. CROWELL COMPANY
666 Fifth Avenue, New York, New York 10019

lieved of command? That is the crucial question in the Herbert affair. Herbert claims it was because he had reported war crimes to Barnes and to Col. J. Ross Franklin, the deputy brigade commander. The allegations ranged from killing of Vietnamese detainees by Vietnamese National Police to torture of detainees by U.S. troops.

Not only was Herbert relieved of command but Franklin and Barnes wrote a devastating Officer Efficiency Report (OER) on Herbert, the first adverse report of his career. Both officers recommended that Herbert never again be allowed to command a unit.

Fuming over the relief and the bad OER, Herbert was transferred to Saigon, where he requested a hearing on the reason for his relief. He says he wanted to bring up war crimes at the hearing, but wasn't allowed to. The board, after interviewing thirty-eight witnesses, concluded, in part, that:

“There is no question as to Lieutenant Colonel Herbert's personal bravery or leadership quality.”

“There was a personality conflict between Herbert and Franklin and ‘friction’ between Herbert and brigade staff officers.

“Certain testimony presented indicates that Lieutenant Colonel Herbert, either knowingly or unknowingly, did exaggerate the situation or equivocate with the truth.”

“Franklin and the brigade executive officer did not always have all the facts before reporting on Herbert's conduct to Barnes and some of the criticisms of Herbert's performance of duty, loyalty and integrity were unsubstantiated.

“... The brigade commander lost faith and confidence in Lieutenant Colonel Herbert's ability to perform as a battalion commander. . . .”

But the board recommended no redress be granted because Barnes “acted on the facts as he knew them” in relieving Herbert. Nowhere in the transcript of the hearing is there any mention of war crimes.

Back in the States, Herbert was yanked from his class at the prestigious Command and General Staff School at Fort Leavenworth—a vital stepping stone to a star—when the bad OER caught up with him. He says that he tried to report the war crimes to officers in Saigon and at Fort Leavenworth, but they refused to acknowledge his allegations. Meanwhile, he went through channels to request that his bad OER be thrown out. On September 28, 1970—eighteen months after he was relieved from command—Herbert formally filed allegations of war crimes. Then on March 15, 1971,

saying the Army was dragging its feet in investigating the war crimes allegations, he filed formal charges against Barnes and Franklin, accusing them of dereliction in not investigating the war crimes while in Vietnam. An adoring article entitled “How a Supersoldier Was Fired from His Command” by James T. Wooten (Herbert's collaborator on *Soldier*) appeared in *The New York Times Magazine* in September 1971, and Herbert became a celebrity.

Eventually, Herbert was told he'd have to retire because the OER had blocked his promotion to permanent major and he had already been passed over once. But the Army, perhaps responding to public and Congressional pressure, relented and removed the OER on October 8. Herbert was promoted and notified he could remain on active duty, but he elected to retire. After two wars and twenty-three years of soldiering, Herbert stacked arms, huddled with Wooten and came up with *Soldier*, for which they were reportedly paid more than \$100,000.

That, in essence, is Herbert's story. The book is a mildly interesting memoir replete with self-serving statements intended to substantiate his claims about reporting the war crimes allegations and to justify his subsequent battle with the Army. It fails.

First, Barnes and Franklin have repeatedly denied that Herbert ever reported war crimes to them. They said, under oath at the hearing on his relief, that he was relieved because they could not believe Herbert and because he created “intolerable friction” with the brigade staff. Herbert likes to point out that he “passed” a lie detector test based on his allegations. He did, but so did Franklin, a fact Herbert conveniently ignores.

The hearing at Saigon was the ideal time to expose Barnes and Franklin if they had relieved him for reporting war crimes. If Herbert was so concerned about war crimes, why didn't he formally report them earlier, instead of waiting eighteen months? His contention that he tried to report them to officers in Saigon and at Leavenworth is unconvincing because all the officers to whom he says he tried to report have denied that he mentioned war crimes. Officers who were present at the hearing deny that Herbert sought to discuss war crimes at that time and there is no such request in the transcript. Since Herbert was represented by a lawyer at the hearing, it is hard to understand the absence of any record testifying to this claim.

Herbert's monomania about the war crimes allegations smacks much more

of a desire for revenge against Barnes and Franklin than of a genuine concern for justice. The Army has admitted that some of the alleged war crimes Herbert cites did occur, but declares that they were properly investigated—some of them prior to the time when Herbert claims to have reported them—and there was in any case insufficient evidence that Herbert reported any of them to Barnes or Franklin.

If, as Herbert contends, he was repeatedly rebuffed when he tried to report the atrocities, why didn't he arrange to do so in the presence of witnesses? To date Herbert has produced no evidence that he did report the allegations to either officer.

If the hearing testimony had shown no other reasonable grounds for relieving Herbert of command, his assertion that he was fired for reporting war crimes might have been more persuasive. But the hearing transcript—and the book itself—show ample evidence to support Barnes's and Franklin's statements that Herbert's frequent conflicts with other officers went beyond the nuisance level and actually disrupted brigade operations. Such disruption would be solid grounds for relief.

Finally, although Herbert insists he was relieved solely because he reported war crimes, one of his own attorneys says it wasn't so. The attorney, who asked not to be identified, told *Army Times* in 1971 that Herbert became frustrated and alienated after he was unable to get the career-wrecking OER expunged and that he therefore "overdramatized" the war crimes issue to focus attention on himself. "I think the press oversimplified it," the lawyer said. "I think Tony oversimplified it. He had to, or nobody would listen to him." He went on to say that he believed Herbert was relieved because "he was a victim of brigade politics. . . . I think basically it was a personality conflict. He was too damned good. I don't think [it was] exclusively . . . war crimes."

So the Herbert affair remains as it was two years ago, a thicket of unsubstantiated charges and countercharges. Herbert still claims he was crucified for reporting war crimes to Barnes and Franklin; both officers steadfastly deny it. Somebody's lying.

The Army, which bungled the affair from the start, could help to resolve some of the many discrepancies by releasing the sworn testimony taken during the investigations of Herbert's charges against Barnes and Franklin. But this seems unlikely, especially since the Army is still sitting on the Peers Report, the results of the My Lai investigation. □

FILMS / Lawrence Alloway

Painters Painting is a documentary film about the New York art world based, as Emile de Antonio admitted in an interview, on an exhibition at the Metropolitan Museum of Art four years ago called "New York Painting and Sculpture: 1940-70." In the interview (*Artforum*, March 1973) de Antonio characteristically gets it wrong and calls it "American Painting 1940 to 1970." The slip warns you of what is to come. The exhibition is buried in the body of the film but Henry Geldzahler, its curator, gets footage which is the show-biz equiv-

alent of an acknowledgment. The original exhibition was flawed inasmuch as it presented the art of the period without benefit of later knowledge and research. Similarly, *Painters Painting* fails to come up to date although the material was shot recently.

The argument begins like this: a heavy voice-over prologue (which turns out to be by Phil Leider) deals with the theme of national identity in the United States, about how the American Scene painters got it wrong and how the Abstract Expressionists, by taking up the issues of

At last . . .
the predictably blunt autobiography
of the dean of American controversy:

PERSONAL AND CONTROVERSIAL PAUL BLANSHARD



From pulpit to jail to chief graft investigator for Mayor La Guardia . . . from the storm provoked by his challenging book *American Freedom and Catholic Power* . . . from the utter frankness with which he recalls his adventurous life and the famous people it touched . . . Blanshard's 13th book generates new storms with new challenges to the structure of religion, politics, and conventional sexual attitudes.

Kirkus Reviews says it's a "well lived life well told." *Publishers Weekly* calls it an "extremely frank autobiography," and *Library Journal*, "fascinating reading . . . maybe . . . one of the last specimens of pamphleteering at its best."

\$7.95 at your bookstore

BEACON PRESS Boston 02108

European Modern art, made it. This section includes verbal contributions by various artists and critics, but unless you are acquainted with the 1940s-50s phase of the European/American agon it is a burden. Willem de Kooning, who came here from Holland about half a century ago and still doesn't speak English very well, says that Europe seemed small compared to American movies. Barnett Newman says, sure he's American but isn't art universal. Geldzahler links Jackson Pollock to Navajo sand painting, a topic that has expired in art criticism, but after all he has a big new audience so why try harder. Clement Greenberg says, yet once more, that Pollock must be judged like Rembrandt and Velázquez, because it's all the same at the top. The argument is never visualized: there is just a bunch of people repeating for the camera what they said years earlier to smaller and more informed audiences who have now stopped listening to them.

After this incoherent exposition of New York's centrality, de Antonio turns to a later generation, those artists who continued abstraction and those who kicked it. I will take his handling of the latter group first: Jasper Johns, Robert Rauschenberg and Andy Warhol are all treated as characters, as personalities. Johns is part expository, part nervous barking laugh; Rauschenberg is shown sitting boyishly on top of a ladder addressing the lowly camera; and Warhol evades in uncharacteristically clumsy style while de Antonio, on screen, fidgets. One realizes the trouble: de Antonio is more used to editing existing material than shooting new footage, to cutting

than keeping people talking. The interview as a form is not something for which he has any aptitude. He brutalizes every scene he enters, reducing the complex artists he talks with to stereotypes.

After Johns, Rauschenberg and Warhol, Greenberg appears again to pronounce Pop art "minor" and "easy" unlike real art which is "difficult." Given this view he has to pretend to like Pop art so he can impute triviality to it as too likeable. After this the film settles down to what de Antonio seems really to esteem, more or less Greenbergian Abstract artists: Helen Frankenthaler, Kenneth Noland, Frank Stella, Larry Poons, Jules Olitski. Noland allows that "judgment is crucial" and then equates judgment with "taste" and Olitski, standing before one of his expanses of sludge, discusses "drawing." Their interchangeable comments are stretched out to inordinate length. Indeed in the case of Poons, de Antonio's poor judgment leads to such bathos as the artist saying, in reference to the effect of gravity on poured paint, "I've kinda gotten used to this floor" and when cropping a colossal picture, delivering the momentous line, "Let's take an inch off the left side."

Films, because of one's concentration on a lighted field in the dark and because of the coordination of sound and image, convey an absorbing sense of the present. In *Painters Painting*, however, this sense of the reality of the moment is compromised because the film rests on an obsolete view of the art world. There is a false present; for instance, the figure of de Kooning is real and the conversation takes on some of his presentness, but the subject of the talk is largely retrospective. The impression of authenticity is thus a cover for nostalgia. The sound recording is so loud and harsh that one feels that the physical reality of speech is being overemphasized to compensate for its remote content. Something similar happens with the younger Abstract painters: the intensity with which each of them occupies a filmic present cannot be considered as representative of the art scene in New York now. They are certainly present in it, but they do not summarize its possibilities as they seemed to do a few years ago. Thus the topicality of the film is a put-on.

De Antonio is on record in the *Artforum* interview as placing his own work in the documentary "tradition of dissent," meaning he prefers *The Plough That Broke the Plains* to *The Louisiana Story*. However his treatment of the art world of the recent past shows none of the political commitment supposed to inform the work of a man who made a scathing exposé of Sen. Joseph McCarthy, admit-

tedly six years after his death. Perhaps a reminder of de Antonio's other films is needed here: *Point of Order* was the McCarthy film, *Rush to Judgment* was about the Warren Commission, and *Millhouse* was about President Nixon. Indeed he records that the impact of Kent State and Cambodia made him stop work on *Painters Painting* and make *Millhouse*.

Why is it then that the interaction of art and politics in the last few years escapes him? Why is Helen Frankenthaler the only woman in the film? He dismisses both Earthworks and Conceptual art because "their social meaning was negative," though he does not say anything about Noland's political significance. In the same loud-mouthed interview he proves his lack of competence in this area by expostulating: "where are the guys 25 years old?" Actually no one in *Painters Painting* could be called young except for Poons, and he is 36. The fact is that de Antonio is out of touch with the art world, which is why his film is a nostalgic, Abstract Expressionist-based, Greenberg-oriented, politically backward perpetuation of the 1950s and early 1960s. □

RECORDS

DAVID HAMILTON

VERDI: *Attila*. Christina Deutekom (soprano), Odabella; Carlo Bergonzi (tenor), Foresto; Sherrill Milnes (baritone), Ezio; Ruggero Raimondi (bass), Attila. Ambrosian Singers, Royal Philharmonic Orchestra; Lamberto Gardelli, cond. Philips 6700 056. \$11.96 (two discs).

The exhumation of early Verdi proceeds apace—this is a first recording, and we are promised *Giovanna d'Arco* soon (as well as *The Sicilian Vespers*, the only post-*Rigoletto* opera still unrecorded). Temistocle Solera's libretto for *Attila* had to be completed by the faithful if browbeaten Piave ("Do take care, my dearest Piave, that we don't make a hash of it") when the former decamped to Madrid in midstream. The resulting muddle was—and remains—unsatisfactory, essential matters of motivation having been left behind in the source material (an 1808 play by Zacharias Werner). The characters are hardly winning, or even consistent: Odabella, an Amazonish warrior-heroine, is bent upon avenging her father's death at Attila's hands; the Roman general Ezio vacillates between self-sacrifice and self-serving; Attila himself seems noble and magnanimous in his actions, but we all

The book they couldn't kill . . .

TOM SAWYER COMES HOME

a novel

by Dorothy Langley

Written in the '50s, when McCarthyism (first version) made independent thought dangerous and publishers with payrolls to meet were frightened into concentrating on safe subjects like sex, *Tom Sawyer Comes Home* only now has found a publisher willing to gamble—and to bring to a new generation the independent thinking of that unprejudiced observer of the world as it is, Huckleberry Finn.

Prepublication price, by mail, \$6.50; at your bookstore after June 1, \$7.95

THE TRAUMWALD PRESS

Suite 10 • 3550 Lake Shore Drive

Chicago 60657

Also available by the same author: *Fool's Mate*, a sonnet sequence, \$4.95

From the Republicans who Sued the Republican National Committee and Won,* Comes THE RIPON FORUM

The Ripon Society—the only progressive Republican organization in the country. *The Chicago Sun-Times* editorialized that Ripon members “are the voice of the GOP future—clear of thought, strong of word, compassionate of their fellow human beings. And they have the smarts which win elections.” Paul R. Wieck of *The New Republic* called The Ripon Society “a small cadre of exceptionally bright and capable young men and women,” while a column in *The Minneapolis Star* was headlined “Republican Ripon Society: Impact greater than its size.”

The Ripon Society—seeks to bridge the gap between the world of ideas and the world of politics, between the university community and the Republican party. Commented *The Charleston (West Virginia) Gazette*: “The Ripon Society is a Republican research and policy organization with headquarters in Cambridge, Mass. Old Guard Republicans don’t embrace it as warmly as the more modern breed, but it exercises a scholarly influence on all Republican strategy.”

The Ripon FORUM—the semi-monthly publication of the Ripon Society which *The (London) Economist* called “a sprightly and widely quoted magazine.” In fact, the Ripon FORUM is well known for its bold political commentary, its incisive analysis of public policy questions, and its advocacy of progressive policies for the Republican Party. The FORUM contains, “some of the best political analysis of recent years,” wrote James Doyle of the *Washington Evening Star*. And George Frazier, the “lit’ry life” columnist of *The Boston Globe* wrote, “I cannot abstain from entreating you to at least look at . . . heresy of heresies—the excellent magazine put out by the Ripon Society.”

The Ripon FORUM—an important magazine for progressives and for Republicans alike—an absolutely essential magazine for progressive Republicans.

THE RIPON FORUM

14A Eliot St.
Cambridge, Mass. 02138

Enclosed is my check for a year’s subscription (24 issues) to the Ripon Forum.

☐ \$10

☐ \$5. I am a student, member of the military, Vista, Peace Corps

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

* In November of 1971, to achieve more equal representation of all Republicans in the convention process, the Ripon Society sued the Republican National Committee seeking to have the formula used to allocate delegates to Republican National Conventions declared unconstitutional. In April of 1972, the U. S. District Court for the District of Columbia declared the formula unconstitutional and enjoined the 1972 GOP convention from adopting the same one for 1976. The injunction was stayed three days before the convention by Justice William Rehnquist.

The result was the major battle at the GOP gathering in Miami Beach this past August. Reported John Osborne in *The New Republic*, “The sole issue that caused a ruckus on the convention floor got there only because the party was under the pressure of a suit brought by the Ripon Society.”

The case has now been remanded to the U. S. District Court in the District of Columbia where the Society is challenging the constitutionality of the formula adopted at the 1972 convention on the grounds that it grossly discriminates against Republicans in many states.

REPRINTS are available of the article which appeared in our January 22, 1973 issue:

THE HUBRIS OF A PRESIDENT
by William L. Shirer

Reflections on the devastation of Hanoi, by the journalist who broadcast Hitler's barbarism to a horrified world.

Single copies 25¢ each
10 or more 20¢ each
50 or more 15¢ each
100 or more 10¢ each

Please enclose payment with your order

THE NATION
333 Sixth Avenue
New York, N.Y. 10014

EDUCATIONAL & CAMPS

OPEN COMMUNITY SUMMER CAMP AND BOARDING SCHOOL. A camp where freedom is encouraged in an atmosphere of adult responsibility and concern. Children learn to trust, love and respect both themselves and others through learning and playing together and in sharing the responsibility of freedom with adults. The children choose from a rich program of academic as well as crafts, music, organic gardening, animals, drama, pottery, riding, swimming, camping, sports, art and photography. Accepting ages 6-17. For brochure: **Open Community Camp, Box 305 N, Claverack, N.Y. 12513. (518) 851-3311.**

EXTERNAL DEGREE PROGRAM for well informed, highly motivated adults wishing to complete undergraduate education. Two-week resident periods on Goddard campus alternate with six-month independent study projects carried on at home under faculty supervision. Program leads to Goddard Bachelor of Arts degree. Write Box E, Adult Degree Program, Goddard College, Plainfield, Vermont 05667.

PERSONALS

PATCHES & APPLIQUE (over 200), **POSTERS** (over 275, many anti-war) **BUTTONS** (135), **BUMPER-STICKERS** (50) and other peace items. Wholesale and retail. Catalogue with pictures 25¢ (refund 1st order). **BIG-LITTLE STORE, 1077 Mission, San Francisco, Ca. 94103.**

PERSONAL HOROSCOPE: 10-Page Report. Send full birth information, \$10. Michael Wood, 43 Joy Street, Boston, Mass. 02114.

CONFIDENTIALLY YOURS. Looking for someone to confide in? Let me be your private correspondent. Professional. Reliable. Send \$1.00 for details. Confidential Consultant, NAT, Box 670, Defiance, Ohio 43512.

ABOLISH ALL ABORTION LAWS without exception. The right of each ratiocinating individual to own his or her own body is the paramount moral law, WITHOUT EXCEPTION.—AAAL, P.O.B. 36122, Los Angeles 90036.

ADVERTISING RATES

Classified: 74c a line (6 words) 3 line min.
Classified Display: \$7.42 per inch (min.)
THE NATION, 333 Sixth Ave., N. Y. 10014
242-8400

9 WAYS THE WIND LOST FACE

*Tripping on the floor under the broom.
Pulling doors before stepping out.
In busy traffic in front of store windows.
Loving lipsticks loving lips.
In pocketbooks under umbrellas.
Pretending to be heard not seen under windowsills.
Raking leaves into the gutter.
Butterfly stroking on antennae.
Under a thankless bird.*

G. S. Sharat Chandra

know, as did Verdi's contemporaries, how his nasty Huns behaved—and after all his intention was to conquer Rome, The Eternal City.

This last point is what gave *Attila* its immediate interest and impetus in 1846. Ezio's offer to the Hun, "*Avrai tu l'universo, resti l'Italia a me!*" (You may have the universe, but leave Italy to me) took on a life of its own in *Risorgimento* politics, doubtless obscuring the fact that its speaker was actually offering to sell out his lord, the Roman emperor. And the patriotic impulse is also responsible for most of the score's strongest moments; among the protagonists, only *Attila* stimulates Verdi to music of distinctive character, although the principal arias and ensembles are always sturdily written. An essay in landscape painting (sunrise over the lagoon that will become Venice) is weaker than its model in Rossini's *William Tell*, and in other respects the sureness of mood and tone that marks later Verdi had yet to manifest itself consistently.

There isn't much of a performance tradition for this score, and the recording, although a considerable advance on some rough-and-ready presentations of early Verdi still in the catalogue, is hardly as personalized as one would like—compare, for example, Sutherland in *Odabella's* first aria (London OS 25939), Callas in the *romanza* (Angel 36852), Christoff in *Attila's* soliloquy (Angel 36172, deleted). Still, Gardelli leads with vigor, the chorus and orchestra are competently professional, and the soloists are more than serviceable: Deutekom an accurate soprano, though lacking in thrust of tone and force of declamation; Bergonzi always a musical singer; Milnes efficient if hardly the smooth and promising Verdi baritone of a few years ago (the deterioration of tonal quality over his earlier version of Ezio's aria, on RCA LSC 3076, is disheartening). In the title role, Raimondi applies a growl to his velvet tone now and then—a limited technique for character delineation, but at least not carried to the point of spoiling the line.

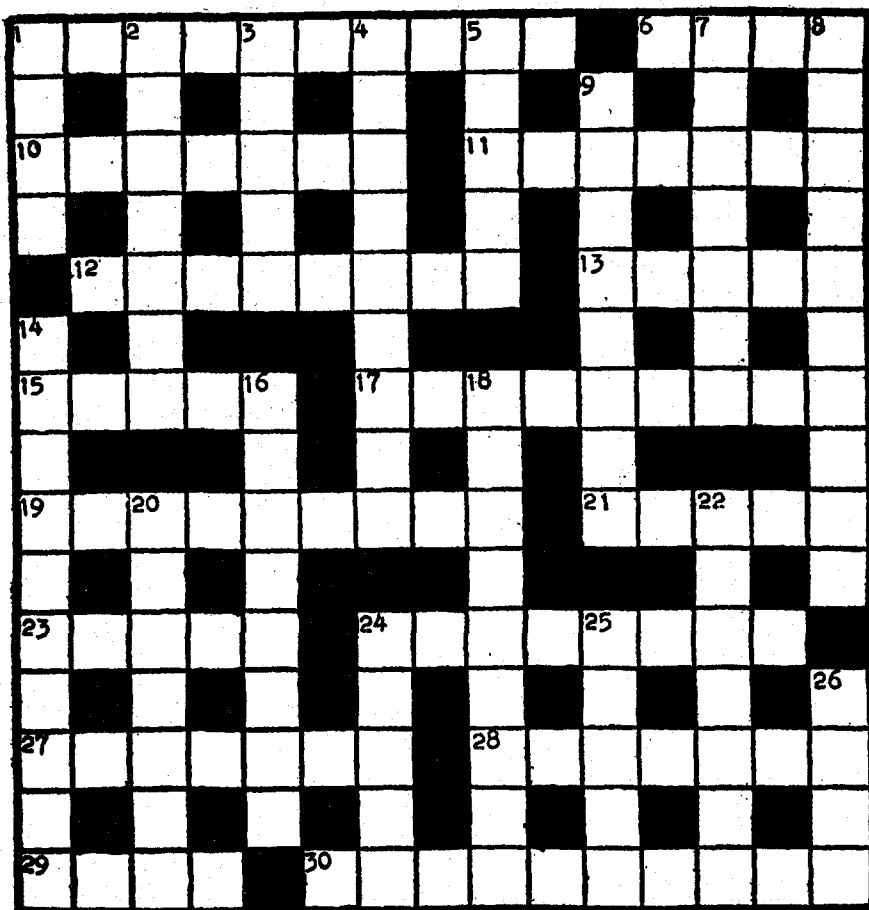
In this context, attention should be called to Julian Budden's new book, *The Operas of Verdi: From Oberto to Rigoletto* (Praeger, \$20), more comprehensive and carefully researched than any previous work on the subject; it is likely to be an increasingly valuable companion to this literature as recordings proliferate over the next few years.

R. STRAUSS: *Capriccio* (excerpts). Viorica Ursuleac (soprano), Countess; Franz Klarwein (tenor), Flamand; Hans Hotter (baritone), Oliver; Georg Hann (bass), La Roche. Bavarian State Opera Orchestra; Clemens Krauss, cond. BASF KBB 21363. \$5.98 (mono; recorded 1942).

Strauss's one-act "conversation piece with music" deals with the historic debate over opera: should music or words predominate? A low-pressure work, full of subtle allusions and graceful detail, it is perhaps his most honest stage work, obviously written only to satisfy himself. This resurrection of a German radio broadcast, shortly after the Munich premiere and with the same performers, promises more than merely historical interest, for the composer pronounced himself greatly pleased with that occasion. Alas, the sound is badly muddled, with heavy vocal distortion and an obtrusive resonance in the region of F-sharp, which transforms chords containing that note into oppressive detonations. Through these obfuscations it can be perceived that the cast is a strong one, save for Ursuleac (the conductor's wife), an enthusiasm of Strauss's that few record listeners have been able to share. Since she dominates the selections included here, pleasure is restricted to Hann's brusque and colorful exposition of the impresario's monologue and to a few phrases by Hotter (who later sang La Roche in the superb complete recording on Angel 3580). Strictly for historians, then—and for those who want to own what is probably the only operatic recording conducted by the librettist (Krauss wrote the text in collaboration with Strauss). □

Crossword Puzzle No. 1484

FRANK W. LEWIS



ACROSS

- 1 Cut in different fashion about someone like Caesar, being far from extravagant. (10)
- 6 See 12 across
- 10 and 29 Switching one's job in the fur business at one time? (7,4)
- 11 If these out-of-date things were applied to you, you must have had a hole in your head! (7)
- 12 and 6 across Bounced out with the proceeds of the match? (5,3,4)
- 13 Sounds regressive in adhesions! (5)
- 15 Rather indefinite number with the fever?
- 17 Continuing to allow pretension? (7,2)
- 19 Turns blue, after finding such things can be disproved. (9)
- 21 To come in the anglicized head of 16. (5)
- 23 On which one might 29 to prevent bouncing. (5)
- 24 Is in more likely circumstances to be one detained. (8)
- 27 Wind in circular motion with such as a screwdriver. (7)
- 28 Consumption doesn't increase when things are. (7)
- 29 See 10 across
- 30 Lets go sufficient material for a hand-out. (4,6)

DOWN

- 1 and 18 down Evidently it depends on the extremely small type to make the current. (2,2,3,6)
- 2 and 20 down Sailors didn't necessarily like them to be demanding cravats. (7,7)

- 3 I seem to be caught in the confusion of the grain. (5)
- 4 Dark suit perhaps, or more or less formal wear suitable here. (5,4)
- 5 and 9 down For the nonce, located at Greenwich? (2,3,8)
- 7 Going down with a bang about its ascension. (7)
- 8 One of these was possibly the original tenderfoot. (10)
- 14 Adapted to prove the point of the old soldier's charge. (4,3,3)
- 16 Reduction in rent, yet a rather serious way to ask for it. (8)
- 18 See 1 down
- 20 See 2 down
- 22 Where the younger generation appreciated rock, according to rhyme. (7)
- 24 This might take the skin off. (5)
- 25 Works in general, more particularly like Peter Grimes. (5)
- 26 Without someone like M. Marceau, 9 is strangely put up. (4)

SOLUTION TO PUZZLE NO. 1483

ACROSS: 1 and 5 across Goodbye Mr. Chips; 9 and 10 Vending machine; 11 Order; 13 Edict; 14 Exposed; 16 Heckler; 18 Tear; 24 Easel; 26 Ado; 27 Parma; 28 Long ton; 29 Nourish; 30 Pleural; 31 Suburbs.
DOWN: 1 and 18 down Give one the slip; 2 Owned up; 3 Brier; 4 England; 5 Mammoth; 6 Cache; 7 and 21 across Initial attempt; 8 Sweeter; 15 Ski; 17 and 21 down Catamounts; 19 Absence; 20 Grapnel; 22 Merrier; 23 Teaches; 25 Later; 27 and 12 Plumbago.

PUBLICATIONS

FREE DISCUSSION OF SMOKING AND HEALTH MEANS TELLING ALL SIDES. Send for free booklet, "The Cigarette Controversy," Dept. NA, The Tobacco Institute, 1776 K Street, N.W., Washington, D. C. 20006.

NO PEACE IN SOUTHERN AFRICA. For current news about liberation struggle, U.S. investment, political and economic events, read **SOUTHERN AFRICA** (244 West 27 St., Dept. B, New York 10001.) Monthly. \$5.00 per/year. Write for sample copy.

"THE MILITARY AND THE SOUTH,"—articles by Robert Sherrill, Julian Bond, and Walter Collins lead off the first issue of **SOUTHERN EXPOSURE**, a new quarterly that probes beyond the myth to the reality of southern people and southern power. Analytical essays, reviews, interviews, and data on the region's culture and political economy. Subscriptions \$8 per year, \$2 per issue. Institute for Southern Studies, 88 Walton Street, N.W., Atlanta, Georgia 30303.

FREE Catalogue of materials on Ethnicity and American Group Life; FREE National Newsletter; New Resources on URBAN ETHNIC GROUPS ** BLUE COLLAR WORKERS ** GROUP IDENTITY ** NEW PLURALISM ** NEW COALITIONS ** NEIGHBORHOOD GOVERNMENT. National Project on Ethnic America—Dept. G, 165 East 56th Street, New York, 10022.

'THE PRESS AND THE BAY OF PIGS'

A detailed study by
Victor Bernstein and Jesse Gordon
Single copies—15c; 25 copies at 10c each
Orders over 25 at 7c per copy

THE NATION

333 Sixth Ave., New York, N.Y. 10014

LITERARY SERVICES

WRITERS: "UNSALEABLE" MANUSCRIPT? Try **AUTHOR AID ASSOCIATES**, Dept. N, 340 East 52nd Street, New York City 10022.

MUSIC

FREE 162-PAGE CATALOG offers over 1,000 fine recordings of Renaissance, Baroque, Classical, Romantic and Modern music. All late stereo recordings. Highest quality at budget label prices. Available only by mail from **MUSICAL HERITAGE SOCIETY**, Box 932 NA, New York, N.Y. 10023.

REAL ESTATE

PLAN your vacations, retirement in our developing liberal cooperative community in North-Central Arkansas. Beautiful lots, large lake nearby. **Tumbling Shoals Estates**, P. O. Drawer 268, Naperville, Illinois 60540.

SERVICES

MOVING? Professional moving at competitive rates. Anytime, anywhere. Licensed, insured, experienced. **THE COVERED WAGON**, Algonquin 5-1788 (N.Y.C.)

QUICK (BUT CAREFUL) MOVERS. Household or commercial. Realistic estimates. Reasonable rates. Insured. No job too small. (212) 673-5341.

ADVERTISE YOUR NEEDS IN THE NATION

NOW is the time to

subscribe to
**THE
NATION**
at these
money-saving rates.

6 months
(24 issues)
\$9.00

1 year
(48 issues)
\$15.00

Enter your subscription to **THE NATION** right now ... and enjoy two specific benefits:

1. **SAVE MONEY.** Regular single-copy price of **THE NATION** is 50¢ per copy. So you save \$9.00 (almost 40%) on a 1-year subscription which costs only \$15.00 ... or you save \$3.00 on a 6-month subscription at only \$9.00.
2. **FREE BOOK.** Described at right is the book you will receive absolutely free, as a Bonus. Only a limited number of copies available, so act today to avoid disappointment.

Provocative and venturesome ... **THE NATION** has been traveling the route of independent expression and dissent for more than 107 tumultuous years. Here is the forum for all free-thinkers who are not afraid to challenge the age-old illnesses that still confront America today: anti-intellectualism, intolerance, injustice, imperialism, inertia. And here, week after week after week, is the forthright comment by those who seek to examine and re-examine, expose and oppose, question and criticize the causes of our day.

Whether you're a liberal or a conservative, radical or revolutionary, let **THE NATION** help keep you up-to-date on the most absorbing political and social issues of our time. Enclose remittance now and you will receive your Bonus book at once.

But please don't delay. Get your subscription into the mail today.



THE NATION 333 Sixth Ave., New York, N.Y. 10014

Please ☐ enter ☐ extend my subscription to **THE NATION** for the term checked below. I am paying for my subscription now, so send my Bonus book at once.

☐ 1 year (48 issues) \$15.00 ☐ 6 mos (24 issues) \$9.00
(Add \$1 per year postage for Canada and Mexico;
\$2 other foreign.)

PRINT

Name _____
Address _____

City _____ State _____ Zip _____

☐ Bill me - with the understanding that the free book will be sent after my subscription invoice has been paid.

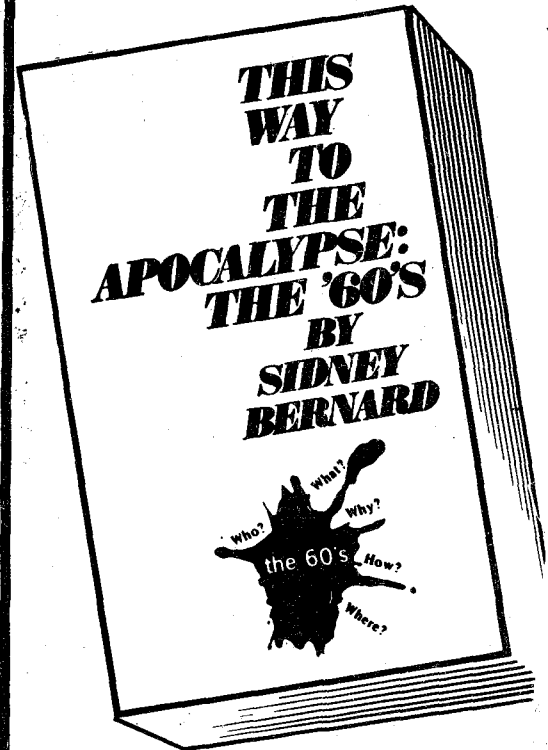
**GIFT
SUBSCRIPTIONS**

Timely and appropriate for any friend or relative you specially want to please. Attach separate sheet with names and addresses; we'll send gift cards in your name. Send \$15.00 for each 1-year gift, including the **FREE** Bonus Book for you.

THE NATION
333 Sixth Avenue
New York, N.Y. 10014

FREE!

if you enter your
subscription
NOW



THIS WAY TO THE APOCALYPSE
by Sidney Bernard

Accept this hard-cover book, — publisher's price \$5.95 — but yours at no extra cost with 6-month or 1-year paid subscription to **THE NATION**.

Sidney Bernard, who Seymour Krim calls "a special kind of reporter," is a man for all happenings. Through him, an Isaiah wandering through our years, we experience the diverse, special, new events that characterize and define the '60s.

From Fillmore East to the student revolution ... from the Nixonian "comics school" to the government's invasions of privacy ... from the teachers' war against children to The Great Garbage Strike ... the author explores and reveals a variety of scenes that came to symbolize the life and times of an unusual decade.

Also includes the author's encounters with Yevgeny Yevtushenko, LeRoi Jones, Norman Mailer, Langston Hughes and many others ... plus incisive comments on film, theater, galleries and music — from Lincoln Center to Off-Off Broadway.

Sidney Bernard's work has been featured in **THE NATION**, Evergreen and Ramparts.